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EPC Meeting

File Name

ADM-1-1-1

May 17, 1999

Signature Initials

JL

CN JUN 1999

Agenda

Environmental Protection Commission

May 17, 1999

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Add 15A - Contested Case Hearing -- Bernie Brauns

Public Participation

Item #18 - A.G. Office Presentation - - - - -

10:30 A.M.

11:00 A.M.

Item #16 - Demand for Hearing - Appointment - - - - -

1:00 p.m.

Agenda topics

1. Approve Agenda
2. Director's Remarks Paul Johnson
3. Election of Officers
4. Approve Minutes of April 19, 1999
5. Monthly Financial Status Report Linda Hanson (Information)
6. Budget and Personnel Information Linda Hanson (Information)
7. Memorandum of Agreement with DED for Iowa Waste Exchange Roya Stanley (Decision)
8. Landfill Alternatives Financial Assistance Program Composting Initiative - Contract Approval Roya Stanley (Decision)
9. Monthly Reports Mike Valde (Information)
10. Final Rule--Chapter 105, Organic Materials Composting Facilities Roya Stanley (Decision)
11. Final Rule--Chapters 20, 21, 22, 23 and 25, NESHAPS Corrections and Clarifications Mike Valde (Decision)
12. 1999 Title V Fee - Air Quality Bureau Mike Valde (Decision)
13. Contract for Source Water Assessments for Public Water Supplies Mike Valde (Decision)
14. Proposed Contested Case Decision--Jim Combs and Gary Combs Mike Murphy (Decision)
15. Proposed Contested Case Decision--Paul and Todd Behounek Mike Murphy (Decision)

15a. Proposed Contested Case Decision -- Bernie Brauns

EPC Agenda - Page 2

16.	Demand for Hearing, Sioux County - Orange City Dairy, LLP	Mike Murphy (Decision)
17.	Referrals to the Attorney General <ul style="list-style-type: none">a) Daryl Larson (Jones County)b) Russell Zook, dba Haskins Recycling (Wash. Co.)c) Hofer's Danceland Ballroom (Walford)	Mike Murphy (Decision)
18.	Attorney General's Office Presentation/Information	Dave Sheridan (Information)
19.	1999 Legislation Summary	Kathleen Moench (Information)
20.	General Discussion	
21.	Address Items for Next Meeting	
Next Meeting Dates	June 21, 1999	
	July 19, 1999	
	August 16, 1999	

ENVIRONMENTAL PROTECTION COMMISSION

Monday, May 17, 1999

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Jane McAlister	Aulers Law Firm	DSM
WAYNE KANER	EPA, Region VII ^{IV}	KC, KS
Andrea Kogier	IA League of Cities	DSM
Theresa L. Koeke	IOWA Senate	DSM
Catharine Fitzsimmons	AIR QUALITY	DSM
Amy Brunner	Farm Bureau	DSM
DAN GUST	GROBMARK, INC.	BLOOMINGTON, IL
Jack Clark	Iowa Utility Assoc.	DSM
Lee Cosner	Des Moines Water Works	DM
Linda Kruman	Iowa Assoc. of Water Agencies	DM
Robert Wassenaar	Orange City Dairy LLP	O.C. IA
Jayla Ravenswaay	Orange City Dairy LLP	Orange City, IA
Kelly Stone	DNR	

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File Name *ADM-1-1-1*
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CN JUN 1999

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

MAY 17, 1999

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

TABLE OF CONTENTS

Call to Order	1
Members Present.....	1
Members Absent	1
<hr/>	
Adoption of Agenda.....	1
APPROVED AS AMENDED.....	1
New Commissioners - Elizabeth Christiansen and James Braun	1
Election of Officers.....	2
WILLIAM EHM ELECTED CHAIR; TERRANCE TOWNSEND - VICE-CHAIR; ROZANNE KING - SECRETARY.....	2
Approval of Minutes	2
APPROVED AS AMENDED	2
Director's Remarks.....	2
Memorandum of Agreement with DED for the Iowa Waste Exchange	2
APPROVED AS PRESENTED.....	10
Public Participation.....	10
Attorney General Office Presentation/Information.....	10
Closed Session	10
Landfill Alternatives Financial Assistance Program Composting Initiative Contract Approval...11	
APPROVED AS PRESENTED.....	14
Final Rule--Chapter 105, Organic Materials Composting Facilities	15
APPROVED AS PRESENTED.....	25
Sioux County Demand for Hearing - Orange City Dairy, LLP	25
Appointment - Jay Van Ravenswaay	27
AFFIRMED DNR DECISION TO GRANT PERMIT	28
Monthly Reports	28
INFORMATIONAL ONLY.....	48
Final Rule--Chapters 20, 21, 22, 23 and 25, NESHAPS Corrections and Clarifications	48
APPROVED AS PRESENTED.....	50

1999 Title V Fee - Air Quality Bureau	50
FEE APPROVED AS PRESENTED	59
Financial Status Report.....	59
INFORMATIONAL ONLY	64
Budget and Personnel Information	64
INFORMATIONAL ONLY	64
<hr/>	
Contracts for Source Water Assessments for Public Water Supplies	65
APPROVED AS PRESENTED.....	66
Proposed Contested Case Decision--Jim Comes and Gary Comes	66
ALJ DECISION UPHELD.....	66
Proposed Contested Case Decision--Paul and Todd Behounek.....	67
ALJ DECISION REVERSED BY JUDGE <i>Upheld</i>	67
Proposed Contested Case Decision--Bernie Brauns	67
ALJ DECISION UPHELD.....	68
Referrals to the Attorney General	68
Daryl Larson	68
REFERRED.....	68
Russell Zook, dba Haskins Recycling	69
REFERRED.....	69
Hofer's Danceland Ballroom	69
REFERRED.....	69
Legislation Summary - 1999.....	69
INFORMATIONAL ONLY	79
General Discussion	79
Future Meetings Location.....	79
Leopold Board Liaison	80
Earth Day	80
Bottle Bill.....	80
Introduction.....	80
Next Meeting Dates	80
Adjournment	80

MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Ehm at 10:00 a.m. on Monday, May 17, 1999, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

James Braun
Elizabeth Christiansen
William Ehm, Chair
Randal Giannetto (arrived 10:25 a.m.)
Rozanne King
Gary Priebe
Terrance Townsend, Vice-Chair
Rita Venner

MEMBERS ABSENT

Kathryn Murphy

Chairman Ehm noted that Randal Giannetto phoned to say he will be late, and Kathryn Murphy would not be able to attend the meeting as she had a business conflict.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Proposed Contested Case Decision - Bernie Brauns - Item 15a
- Add: Appointment - Demand for Hearing, Sioux County - Orange City Dairy LLP - 1:00 p.m.
- Add: Appointment - A.G. Office Presentation - 11:00 a.m.

Motion was made by Terrance Townsend to approve the agenda as amended. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS AMENDED

NEW COMMISSIONERS - ELIZABETH CHRISTIANSEN AND JAMES BRAUN

Chairman Ehn welcomed new Commissioners, James Braun and Elizabeth Christiansen to the Environmental Protection Commission.

ELECTION OF OFFICERS

Chairman Ehm called for nominations for the position of Chair.

Rita Venner nominated William Ehm as Chair, Terrance Townsend as Vice-Chair and Rozanne King as Secretary.

Motion was made by Terrance Townsend to cease nominations and the secretary cast a unanimous ballot for the positions, as nominated. Seconded by Rita Venner. Motion carried unanimously.

**WILLIAM EHM ELECTED CHAIR; TERRANCE TOWNSEND -
VICE-CHAIR; ROZANNE KING - SECRETARY**

APPROVAL OF MINUTES

Rita Venner pointed out a repetition on Page 48 containing Charlotte Mohr's remarks, noting that one of them should be deleted.

Motion was made by Terrance Townsend to approve the meeting minutes of April 19, 1999, as amended. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS AMENDED

DIRECTOR'S REMARKS

Paul Johnson, Director, extended a welcome to the new Commissioners. He stated that this is a very important period in Iowa's environmental history as there is a lot of interest in the issues the Commission deals with and he views it as a very exciting time. He related that there are tough issues ahead dealing with energy, waste management, water quality, animal agriculture issues, and air toxics, but he views this as a time when really good things can happen in Iowa with everyone working together. Director Johnson added that there are real opportunities for the department to work with other groups on these issues. He urged the Commission to try to solve the problems that arise and to share their ideas and the ideas of their constituents. He related that his door is always open and there is no need to wait until the next Commission meeting to present ideas or suggestions to him. He noted that the Governor's Office and the legislature are receptive to ideas on how to deal with environmental issues in the state of Iowa.

MEMORANDUM OF AGREEMENT WITH DED FOR THE IOWA WASTE EXCHANGE

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department requests approval of the attached Memorandum of Agreement between the Department and the Iowa Department of Economic Development (IDED). This agreement provides IDED with the ability to administer the Iowa Waste Exchange Program (IWE) including the execution of related contracts with community colleges, councils of governments, and the Iowa Waste Reduction Center.

BENEFITS

The IWE program will become fully integrated into the state's recycling economic development initiatives and the IWE program will gain access to IDED's established marketing and public relations tools. This integration allows IWE greater access to new clients and funding partners resulting in increased diversion success and program stability.

Additionally, this agreement offers the ability to expand the IWE program services with new strategic initiatives and partnerships. These new services include:

- ✓ referrals for recycling related technical assistance (using recycled feedstocks in place of virgin, buying recycled-content products),
- ✓ partnering with other business outreach services,
- ✓ identifying business development opportunities (the need for financial assistance, locating new marketing opportunities or assisting with marketing challenges, encouraging and facilitating the development of new recycling business start-ups or expansions, etc.), and
- ✓ Coordination of strategic planning efforts, recyclable commodity targets, and statewide program performance measures will also result.

BACKGROUND

Since 1994, the department has had a unique partnership with the Recycle Iowa office at IDED with the goal to advance the state's recycling market development efforts. Together, the departments have worked to develop an infrastructure where environmental and economic success can be fully realized. Over the last four years the department and IDED have recognized the IWE as a critical tool for advancing both Iowa's environmental (waste diversion) and economic development goals. (recycling is a targeted industry for IDED)

Since inception, the IWE program has diverted over 294,000 tons from Iowa landfills and saved businesses \$6.9 million in avoided disposal costs.

The Department requests approval of the Memorandum of Agreement between the Department and the Iowa Department of Economic Development.

MEMORANDUM OF AGREEMENT
Between
IOWA DEPARTMENT OF NATURAL RESOURCES
And

IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT

Agreement Number: REDA99-02

Agreement Title: Administration of the Iowa Waste Exchange Program and Execution of the Related Contracts

Agreement Amount: _____ Provided for at six and one half percent of the tonnage fee received into the solid waste account of the Groundwater Protection Fund as established by the Code of Iowa, Chapter 455E.11.2(a)(2)(c). Ending balance for FY99 plus revenue expectations for FY00 estimated at \$400,000.

Time of Performance: July 1, 1999, through June 30, 2000.

Issue Payment to: Iowa Department of Economic Development
Capitol Complex
200 East Grand Ave.
Des Moines, Iowa 50309

The Department of Economic Development agrees to deliver all products and perform all services set forth in the attached Conditions for the consideration stated herein. The rights and obligations of the parties to this agreement shall be subject to and governed by the Conditions in this memorandum of agreement. This agreement contains nine articles.

IN WITNESS THEREOF, the parties hereto have executed this agreement on the day and year last specified below.

DEPARTMENT OF ECONOMIC
DEVELOPMENT

DEPARTMENT OF NATURAL
RESOURCES

By: _____
David J. Lyons, Director
Date: _____

By: _____
Paul Johnson, Director
Date: _____

CONDITIONS

ARTICLE I - IDENTIFICATION OF PARTIES

This agreement is entered into by and between the Iowa Department of Natural Resources (hereinafter referred to as IDNR) and the Iowa Department of Economic Development (hereinafter referred to as IDED).

ARTICLE II - PURPOSE

This agreement is entered into for the purpose of administering and funding the Iowa Waste Exchange. The Iowa Waste Exchange (IWE) is established by Iowa Code, Chapter 455E.11.2(a)(2)(c) which provides six and one half percent of the solid waste tonnage fee received into the Groundwater Protection Fund and directs these funds to IDNR for the IWE. Funds are to be used to establish a program of competitive grants allowing community colleges and councils of government to apply for these competitive grants for the support of a by-products and waste search service.

The Iowa Code directs IDNR to consult with IDED and the Iowa Waste Reduction Center at the University of Northern Iowa (hereafter referred to as IWRC) in establishing criteria for the awarding of grants under this program. IDNR is not to expend more than \$30,000 of monies appropriated to contract with IWRC to provide for training and other technical services to grantees of this program.

This agreement provides for the designation by IDNR for IDED/Recycle Iowa staff to act as the direct program manager for the IWE and to carry out the terms of this agreement. Management of this program shall include, but not be limited to, overseeing all services carried out by the grantees, performance of grantees under this program, and the technical support provided by IWRC for this program.

It is the express intent of IDNR and IDED that Recycle Iowa Office staff will continue to work closely with officials from the IDNR Waste Management Assistance Division and the IWRC to ensure IWE program objectives are met.

ARTICLE III – **DUTIES AND ACTIVITIES**

Duties and activities including the establishment of performance measurements for grantees will be determined on an annual basis in cooperation with IDNR and provided under separate cover. (Attachment A)

Any activities performed outside the scope of the agreement must be reviewed and approved by IDNR prior to initiating activity. All activities undertaken by the IDED related to this agreement must be related to administration of the Iowa Waste Exchange.

3.1 IDED will provide administration and performance tracking for all external grants including contracting for technical support by the IWRC.

3.2 IDNR and IDED will hold semi-annual meetings to discuss progress toward performance targets and strategic planning for commodity specific diversion.

3.2 Semi-annually, IDED will coordinate meetings of an IWE client advisory committee to provide input on the services and strategic direction of the IWE program. This committee will be separate and distinct from the IDNR Waste Management Assistance Division Industrial Advisory Committee.

ARTICLE IV – REPORTS

4.1 Quarterly Report. The IDED shall submit to IDNR written reports on a quarterly basis describing the work activities and achievement of performance measurers for the months preceding each report, according to the schedule set forth in Article 4.2. Reports shall include, but not limited to:

-
- (a) Progress toward each performance target as outlined in Article 3, including any problems encountered in meeting targets.
 - (b) Program and technical support activities initiated or underway including any problems encountered with the integrated information management database.
 - (c) A discussion of current successful diversion or economic development projects.
 - (d) Unique, regionally specific activities.

4.2 Schedule. Quarterly Reports due to IDNR on or before the following dates:

Reporting Period	Reports Due
July 1 – September 30, 1999	October 22, 1999
October 1 – December 31, 1999	January 21, 2000
January 1 – March 31, 2000	April 21, 2000
April 1 – June 30, 2000	July 21, 2000

ARTICLE V- SPECIAL REQUIREMENTS

5.1 All information generated by the terms and conditions of this agreement shall become the property of the State of Iowa.

5.2 IDED shall submit to IDNR an original unbound copy of each non-financial document or report prepared under this agreement.

ARTICLE VI - IDNR RESPONSIBILITIES

6.1 IDED should be consulted on all written or electronic publications and informational materials regarding the Iowa Waste Exchange Program, other than financial reports, prior to public distribution.

6.2 Within 15 days of receipt from IDED, IDNR shall review each written or electronic non-financial report submitted to IDNR by IDED. IDNR shall provide comments based on its review.

6.3 The IDNR shall continue the role of funding the integrated database system including initial technology infrastructure. (Server access, representative computer hardware and software, procedural manual production.)

6.4 The IDNR shall transfer authority to IDED to execute all contracts associated with the IWE program.

6.5 The IDNR shall provide for participation by appropriate IDNR Waste Management Assistance Division staff (as directed by the administrator of the Waste Management Assistance Division) in quarterly meetings with regional representatives or other necessary meetings as requested by Reeyele Iowa Office.

6.6 The IDNR shall continue partnership and involvement in targeted commodity efforts.

6.7 The IDNR shall continue partnership and involvement in responding to periodic requests for technical information.

ARTICLE VII – DESIGNATION OF OFFICIALS

7.1 IDNR – The Director or Deputy Director of the Department of Natural Resources shall be the official authorized to execute any changes in terms, conditions, or amounts specified in this agreement. The Waste Management Assistance Division administrator is designated by the Director to negotiate any changes to this agreement, on behalf of the IDNR, subject to the approval of the Director.

7.2 IDED – The Director of the Department of Economic Development is the official authorized to execute any changes in terms, conditions, or amounts specified in this agreement. The Business Development administrator is designated by the Director to negotiate any changes to this agreement, on behalf of the IDED, subject to the approval of the Director.

7.3 The above-named officials shall represent their respective agencies in all matters necessary to the successful completion of this agreement.

ARTICLE VIII – TIME OF PERFORMANCE

This agreement shall be effective on July 1, 1999, or the date signed, whichever is later. Performance by IDED shall commence on July 1, 1999 or the signed date of the Director of the Iowa Department of Economic Development, whichever is later. The performance required herein shall be completed by June 30, 2000, with the exception of the report due on or before July 21, 2000.

8.1 Termination: This agreement may be rescinded by either party without cause with 60 days written notice to the other party.

8.2 Remedy Upon Termination: In the event this agreement is rescinded, sole and complete remedy of IDED shall be payment for grantee expenses incurred prior to termination.

ARTICLE IX – TRANSFER AND OVERSIGHT OF FUNDS

The IDNR Budget and Grants Bureau working in conjunction with the IDED Administration staff shall provide and plan for the steps necessary to ensure a cooperative transition of oversight and tracking of all funds related to the IWE. This shall include meeting thirty days prior to the start of fiscal year 2000 to plan for the transfer and oversight of funds and identifying adequate tracking and oversight measures to carry out appropriate fiduciary controls of said funds.

It is intended that IDED provide tracking and oversight functions for the Iowa Waste Exchange funds, exercising prudence and control when approving the contractual obligation of these funds. The transfer of these funds and related accounting and fiduciary responsibilities will be assumed by the IDED effective July 1, 1999.

The IDNR Budgets & Grants Bureau shall transfer funds from the solid waste account of the Ground Water Protection Fund as established by the Code of Iowa, Chapter 455E.11.2(a)(2)(c) as needed to reimburse requests from program contractors. Funds will be transferred via the appropriate state internal transfer document.

The IDED shall provide for quarterly accounting of funds to IDNR Budget and Grants Bureau on funds expended and provide notification regarding any problems related to these funds.

Attachment A**Recycle Iowa IWE Program Responsibilities**

Provide leadership for Iowa Waste Exchange program.
Function as program administrator and manager.
Participate in strategic planning with IDNR, IWRC and IWE grantees.
Participate in development of Request for Proposals for IWE host sites.
Write IWE representative contracts.
Support grantees in IWE staff recruitment and selection.
Work with grantees on development and achievement of program performance targets and goals.
Develop and maintain relationships with other industry service providers.
Develop and implement marketing and public relations strategies to promote the IWE.
Identify and pursue additional funding for IWE.
Plan, coordinate, and facilitate quarterly meetings.
Evaluate the effectiveness of existing markets.
Implement strategies to help IWE representatives meet performance targets.
Maintain and improve IWE website.
Determine and provide professional development activities for IWE representatives
Communicate with representatives through quarterly meetings and one-on-one phone calls to identify progress, problems and success in their regions and assist with problem solving on market development and business assistance issues.
Provide relevant training and reference materials to IWE representatives.

Publish and distribute annual report on program accomplishments and future activities.
Survey clients for feedback on program performance and conduct follow-up.

FY 00 Iowa Waste Exchange Performance Targets

FY00 Diversion Goal – 60,000 tons total

Commodity Targets

Paper = 9,200 tons

Food Waste = 2,500 tons

Wood = 12,400 tons

- (a) Ten economic development projects initiated.
- (b) Six technical assistance projects initiated.
- (c) 20% increase over FY99 on IWE user sessions on the Recycle Iowa web site.
- (d) \$1.5M in cost savings to businesses.
- (e) 2300 businesses served.
- (f) Establish benchmark for true program costs and calculation for ROI. Annual improvements to the ROI will be the goal.

Ms. Stanley gave an explanation of the MOA noting that it lays out the role of who is going to do what in regard to delivering the Iowa Waste Exchange. She briefly explained the waste exchange program. She noted that this is a program that has a base level of funding that comes through the tonnage fees and has been operated at the current level using carryover funds. Ms. Stanley related that as the carryover funds run out, staff will have to look at how to support the program in the future. She added that one idea is for it to become a fee-based program (at least partially). Ms. Stanley introduced Jeff Geerts to provide a presentation on the waste exchange program.

Jeff Geerts stated that he works with the Recycling Assistance Program in the WMA Division. He gave an overhead presentation on the IWE and explained how they use the materials. He also covered the following topics: IWE Program; History of Program (fees); Partners and Roles; Primary Goals: FY00 IWE Territories; Waste Diversion Success; Matches (for used products); Problem Materials; Hazardous Matches; Economic Development Success; New Strategies; Special Projects; Working with the Web; Advisory Committee Input, and Recycle Iowa.

Chairman Ehm asked if at some time this program could spin off into private business.

Mr. Geerts replied that it possibly could, adding that would be a good discussion topic for the advisory committee.

Elizabeth Christiansen stated that she is very much in favor of the program and has seen it work very well. She added that it offers businesses to stay ahead of some the regulations that may be coming down the pike, particularly in the area of brown goods.

Director Johnson asked about tying in an effort to clean up Iowa, such as getting rid of junk cars in backyards and old farm machinery out in the back 40. He related that since this deals with people who recycle he wondered if there is some way to put together an effort to encourage cleaning up the landscape.

Discussion followed regarding the handling of brown goods and funds coming from tonnage fees.

Gary Priebe asked about articles 6.3 and 6.4, on page 4, transferring authority from DNR to DED to execute the IWE contracts. He expressed concern that the department would not have any say in the contracts.

Ms. Stanley explained that this is a partnership and that DED, DNR and IWE will be working as a team in a cooperative effort under the agreement.

Peggy Russell, DED, reviewed the dual authority in the past and explained that it made sense to have one agency take the leadership role and do the day-to-day operations of the program.

Ms. Stanley related that she will clarify the wording under 6.4 at the end of the sentence to say IWE "representatives" rather than IWE "program".

Motion was made by Rozanne King to approve the Memorandum of Agreement with DED for the Iowa Waste Exchange. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Chairman Ehm announced public participation at 10:50 a.m.; no one present requested to speak.

ATTORNEY GENERAL OFFICE PRESENTATION/INFORMATION

Dave Sheridan, Attorney General's Office, stated that he understood the Commission wanted to visit about enforcement cases, so if the Commission would want to go into closed session he would be ready to discuss those issues.

Closed Session

Motion was made by Rozanne King to go into closed session pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel to discuss matters where litigation is imminent where disclosure would be likely to prejudice or disadvantage the position of the government. Seconded by Rita Venner. Roll Call vote was taken and the motion carried unanimously.

Motion was made by Terrance Townsend to adjourn closed session and return to open session. Seconded by Rita Venner. Motion carried unanimously.

Chairman Ehm announced that no action was taken or decisions made during closed session.

**LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM COMPOSTING
INITIATIVE CONTRACT APPROVAL**

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received seven (7) applications, requesting approximately \$1.4 million in financial assistance, for consideration during the February 1999 round of funding. Four (4) applicant projects are recommended at this time to receive a total of \$469,814 in grants. A description of each selected project, the project type, the amount and type of funding assistance is attached.

The Department is requesting approval to enter into contracts with selected applicants subject to satisfactory negotiation of budget, match and deliverables.

Applications Recommended By Applicant Type	# Recommended	Award Amount
Local Government	0	\$0
Private For Profit	3	\$449,150
Private Not For Profit	1	\$20,664
Applications Recommended By Project Type	# Recommended	Award Amount
Demonstration/Research	2	\$276,614
Market Development	1	\$172,536
Education	1	\$20,664
Awards – Grant / Zero Interest Loan	Percent	Award Amount
Grant	100%	\$469,814
Loan	0%	\$0

At this time, the Commission is requested to approve the Department to enter into contracts with selected applicants subject to satisfactory negotiation of budget, match and deliverables.

Attachment A

**LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM COMPOSTING
INITIATIVE**

APPLICATION SELECTIONS -- FEBRUARY 1999
--

Four (4) projects from the 7 applications submitted for consideration have been selected to receive \$469,814 in grants. The following provides a description of each selected project, the project type, and the amount and type of funding assistance.

Applicant:	Enviro-Lawn L.L.C. 4099 Pennsylvania Ave. Dubuque, IA 52002	Project Title:	Organic Lawn Maintenance Program
Award:	\$172,536 – Grant – Market Development	Contact:	Del Banowetz 888-332-8986
Local Match:	\$109,898 (61% cash, 39% in-kind)		
Applicant:	Private Not-For-Profit		
Description:	The applicant is proposing to purchase equipment for its lawn maintenance company to automate the application of compost to lawns and to bag compost for retail distribution. The project currently serves approximately 525 clients in Dubuque, the Quad Cities, and Maquoketa and will expand the service to more than 800 customers by fall 1999. The company is proposing to open franchises in Waterloo/Cedar Falls and Cedar Rapids in 2000.		
	Primary deliverables: <ul style="list-style-type: none"> • Demonstration of the cost and environmental benefits of using compost in organic lawn care programs • Marketing of 142,785 cubic feet (2,644 tons) of compost in year 2 of the project • Dissemination of project results including complete soil audits to determine organic matter and fertility levels of lawns receiving compost • Expansion of organic lawn care service using compost in treatments to at least two more Iowa metropolitan areas 		
Target Area:	The project will serve Dubuque, Scott, and Jackson counties immediately and will make service available to Black Hawk and Linn counties in year 2.		
Grant Uses:	Grant assistance is requested for equipment and advertising.		

Applicant:	D & D Ranch 1450 Squirrel Ridge Road NW Swisher, IA 52338	Project Title:	Vermi-composting of food waste
Request:	\$126,701 – Grant – Demonstration	Contact:	Deb Hoffman 319-857-4478
Local Match:	\$141,172 (50% cash, 50% in-kind)		
Applicant:	Private For Profit		
Description:	The applicant is proposing to expand the existing vermi-composting facility to accept 1,270 tons of food waste annually from the Department of Food and Nutrition Services at the University of Iowa Hospitals and Clinics. The finished compost and worm castings will be marketed to nurseries and garden centers		

in the Iowa City area and the worms will be sold to a bait shop that supplies bait to three states in the upper Midwest.

Project Deliverables:

- Compost food waste from University of Iowa Hospitals and Clinics
- Demonstrate large-scale vermi-composting for food waste
- Increase the availability of compost for use by landscapers and gardeners
- Develop infrastructure that will allow applicant to easily expand amount of material composted by an additional 400% in the future

Target Area: The business will be based in and serve customers in Johnson county.

Loan Uses: Grant assistance is requested for equipment and construction of a processing center.

Applicant: Chamness Technology Inc.

2255 Little Wall Lake Road
Blairsburg, IA 50034

Request: \$149,913 – Grant – Research

Project Title: Crop Growth Research

Contact: Gary Chamness 515-325-6133

Local Match: \$383,206 (100% cash)

Applicant: Private For Profit

Description: The applicant is proposing to team with Dr. Tom Richard and Dr. Stan Henning of Iowa State University to research the quantity and form of nutrients derived from compost and certain land applied organic materials. Crop and soil responses to the compost and land applied organics will also be researched. The project will be conducted over 2 growing seasons and will include research on corn and soybean crops.

Primary Deliverables:

- Valid scientific data on the quantity and forms of nutrients compost provides to typical Iowa crops
- Farm "field days" to promote project results
- Potential creation of a large market for composted organics

Target Area: South Central Iowa

Grant Uses: Grant assistance is requested for equipment, lab analysis, and personnel

Past Award:

- \$650,000 (\$150,000 grant, \$500,000 loan) in 1998 to assist in construction of a 100,000 ton per year compost facility

Note: This project does not require EPC approval as the total award for this project is less than \$25,000. The project description is presented for information.

Applicant: Maharishi School

804 N. 3rd Street
Fairfield, IA 52556

Project Title: School Demonstration
Composting Project

Contact: Eileen Elsinger 515-472-1157

Request: \$20,664 – Grant – Education
Local Match: \$13,766 (43% cash, 57% in-kind)
Applicant: Private Not-For-Profit

Description: The applicant is proposing to start a hands-on organics composting program in the school for K-12 students. The applicant will develop *A Guide to Composting of Institutional Organic Waste* for use by other schools. All schools in Iowa will receive a mailing on the project's results and will receive a phone follow up to measure the responses of school administrators to the project. A presentation will be made over the Iowa Communications Network to other educators and school administrators. An educational program including video and slides of the project along with songs and interactive audience participation will be presented to each of the 15 Area Education Agencies.

Primary deliverables:

- Demonstration of using a small drum composter and hands-on composting in a school setting
- Development of an organics waste management guide for all schools in Iowa
- Dissemination of project results and organics guide to all schools in Iowa with a phone follow up
- Presentation of project information over ICN available to all school officials
- Presentation of project information to each of the 15 Area Education Agencies

Target Area: The project will serve the Maharishi School

Grant Uses: Grant assistance is requested for equipment, supplies and personnel.

Ms. Stanley stated that this is the last round for the composting initiative, and from this point on the entire financial assistance program will be operated under the rules of the Solid Waste Assistance Program (SWAP). She reviewed details of the contracts noting there was an error on the award amount for Enviro-Lawn, L.L.C. and it should be \$166,524 rather than \$172,536.

Discussion followed regarding organic application; compost tested for contents and approved by DALS; the make up of "in-kind" and reporting of same.

Jeff Geerts stated that the 39% in-kind match in the Enviro-Lawn contract is cash which is going toward building expansion, equipment and salaries.

Each of the three project contracts were fully discussed.

Motion was made by Rita Venner to approve the Landfill Alternatives Financial Assistance Program Composting Initiative Contracts. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

Gary Priebe asked if the department closed down a composting operation south of D.M because of odor problems.

Mr. Murphy responded that odor was part of the problem, but the department's action in that case was based on the fact that they were operating above their permitted capacity, among other problems. He related that the department's action has been upheld in district court and is on appeal to the Iowa Supreme Court. He added that the facility has shut down and there were also two private nuisance actions brought against them. He related that there was a judgment for \$400,000 and he does not know the status of that.

Commissioner Priebe stated that it doesn't seem right for the state to spend money to close these facilities, and then spend additional money to start up other facilities.

Ms. Stanley stated that there are close to 70 composting facilities in the state that are working very well, and only one has been a failure. She added that the department attempts to stay on top of things and address any problems in a timely manner.

FINAL RULE--CHAPTER 105, ORGANIC MATERIALS COMPOSTING FACILITIES

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Commission is requested to rescind Chapter 105, "Yard Waste Disposal and Solid Waste Composting Facilities," and to adopt and file new Chapter 105, "Organic Materials Composting Facilities," Iowa Administrative Code.

The Waste Management Assistance Division established a 20 member Advisory Committee to revise and update the yard waste disposal and solid waste composting facilities rules to provide operators more flexibility in designing compost facilities while maintaining protection for the environment. The Advisory Committee represents the Division's stakeholders, including business and industry, state agencies, federal agencies, solid waste organizations, non-profit organizations, educators, and local governments. Rules focusing on best practices in composting have been developed.

The Advisory Committee assisted in developing rules that will result in greater responsiveness to both public and private sector facility operators. All Compost facilities, existing and new, will incorporate best management practices as a result of these rules.

The Advisory Committee's involvement will not end with adoption of these proposed administrative rules. A team comprised of Department staff and volunteers from the Advisory Committee will continue to review proposals received through the Department's Composting Initiative. The Advisory Committee will develop the compost facility operator training

certification program that operators are required by these rules to attend. The Department will continue to seek committee members' input in evaluating the effectiveness of the rules.

At this time the Commission is requested to approve rescinding Chapter 105, "Yard Waste Disposal and Solid Waste Composting Facilities," and to adopt and file new Chapter 105, "Organic Materials Composting Facilities," Iowa Administrative Code.

ENVIRONMENTAL PROTECTION COMMISSION

Notice of Intended Action

Pursuant to the authority of Iowa Code chapters 455B and 455D, the Environmental Protection Commission hereby gives Notice of Intended Action to rescind Chapter 105, "Yard Waste Disposal and Solid Waste Composting Facilities," and to adopt a new Chapter 105, "Organic Materials Composting Facilities," Iowa Administrative Code.

This new chapter is intended to update and clarify the existing rules by removing numerous references to other chapters of the Iowa Administrative Code and incorporating all organic materials composting facility rules in the new Chapter 105. A 20 member advisory committee was formed to revise the yard waste disposal and solid waste composting facilities rules to provide operators more flexibility in designing compost facilities while maintaining protection for the environment. The advisory committee consisted of numerous Department stakeholders, including business and industry, state agencies, federal agencies, solid waste organizations, non-profit organizations, educators, and local governments. Rules focusing on best management practices in composting have been developed.

Notice of Intended Action was published in Iowa Administrative Bulletin on April 7, 1999, as ARC 8907A. A public hearing was held on April 27, 1999. One person attended. Written comments were received from six respondents. As a result of the comments received several terms used in the proposed rules were either replaced or further defined for clarification.

CHAPTER 105

ORGANIC MATERIALS COMPOSTING FACILITIES

567-105.1 (455B, 455D) General. This chapter shall apply to the composting of solid wastes. Composting is the controlled biological decomposition of organic matter under aerobic conditions resulting in a stable, innocuous final product. Composting facilities may include vermicomposting, turned windrows, aerated static piles, aerated in-vessel systems, or other methods approved by the department. A composting facility is defined as all related receiving, processing, production, curing, and storage areas and necessary roads, buildings, equipment, litter control devices, pollution control devices, fire control devices, landscaping, gates, personnel and maintenance facilities, sewer and water lines, and process water. Composting facilities existing as of the adoption date of these rules must comply with the requirements of this chapter within one year or by the permit renewal date whichever is later.

105.1(1) Two types of composting are allowed:

a. Yard waste composting. Yard waste composting involves only yard waste, defined as vegetative matter such as grass clippings, leaves, garden waste, brush, and trees, and any clean wood waste free of coatings and preservatives necessary as bulking agent. Use of any other materials as bulking agent shall require prior approval by the department. Yard waste composting facilities are exempt from having a permit if operated in conformance with 567-105.3 (455B,455D) and 567-105.4 (455B,455D).

b. Solid waste composting. Solid waste composting involves any organic material in addition to or other than yard waste. ~~No one shall construct or operate a solid waste composting facility without first obtaining a permit from the department.~~ On-farm composting of dead animals generated on the same farm as the composting facility are exempt from having a permit if operated in conformance with 567-105.9 (455B,455D). Solid waste composting facilities involving municipal sewage sludge shall also operate in conformance with 567-Chapter 67, Iowa Administrative Code.

105.1(2) Burial of yard waste at a sanitary landfill is prohibited. Acceptance of yard waste by a hauling firm or at a transfer station for burial at a sanitary landfill is also prohibited. However, yard waste which has been separated at its source from other solid waste may be accepted by a sanitary landfill for the purposes of soil conditioning or composting. Yard waste accepted by a sanitary landfill for the purposes of soil conditioning shall only be used on finished areas of the landfill that have received the final earthen cover, developed areas with intermediate cover, and restoration of soil borrow areas.. Burning of yard waste at a sanitary landfill or transfer station is prohibited.

105.1(3) Each city and county shall, by ordinance, require persons within the city or county to separate yard waste from other solid waste generated. Municipalities which provide for collection of solid waste shall also provide for separate collection of yard waste.

105.1(4) The use of yard waste as land cover or soil conditioner is not prohibited. Land application of yard waste should be in conformance with this rule.

- (a) the yard waste shall be taken out of containers and the containers shall be removed from the land application site.
- (b) The site shall be managed to prevent waste from leaving the property line.
- (c) The land application shall not exceed 20 tons per acre per year.
- (d) Yard waste can be stored for two weeks before it must be land applied.

567-105.2 (455B, 455D) Exemptions. The following projects are exempt from this chapter. This exemption is not a defense to a nuisance action brought pursuant to Iowa Code chapter 657.

105.2(1) Yard waste composted and used on the same premises where it originated.

105.2(2) Household organic waste composted and used on the same premises where it originated.

105.2(3) Composting facilities involving only animal manure, animal bedding, or crop residues and any clean wood waste free of coatings and preservatives necessary as bulking agent. Use of any other materials as bulking agent shall require prior approval by the department.

If animal manure or animal bedding is mixed with other solid wastes for the purpose of composting then this chapter shall apply unless the other solid wastes have been prior approved by the department as necessary as bulking agent.

105.2(4) Yard waste, household organic waste, animal manure, animal bedding, and crop residues generated on the same premises may be composted together on the same premises where they originated.

567-105.3 (455B, 455D) General requirements for all composting facilities except dead animal composting facilities. All composting facilities shall meet the following requirements, except on-farm composting of dead animals generated on the same farm if operated in conformance with 105.9.

105.3(1) The composting facility shall be 500 feet from any existing inhabited residence at the time of facility construction unless there is a written agreement with the owner of the residence and the site is screened by natural objects, plantings, fences or by other appropriate means.

105.3(2) Access to the facility shall be restricted and a gate shall be provided at the entrance to the facility and left locked when an employee, agent or representative of the compost facility is not on duty.

105.3(3) Emergency access shall be provided to the facility. Fireways shall be maintained to provide access for fire-fighting equipment.

105.3(4) The facility shall have a permanent sign posted at the entrance specifying:

- a. Name of operation,
- b. Operating hours,
- c. Name and telephone number of the responsible official,
- d. Materials which are accepted or the statement "All materials must have prior approval.",
- e. Name and telephone number of emergency contact person,

105.3(5) Solid waste shall be unloaded at the composting facility only when an employee, agent or representative of the facility is on duty.

105.3(6) Solid waste which cannot be composted or which is removed during processing shall be disposed of in accordance with the Iowa Administrative Code. Infectious waste as defined in 455B.501(b), Iowa Code, and broken glass shall not be accepted for composting at any composting facility unless approved by the department.

105.3(7) Measures shall be taken to prevent water from running onto the facility from adjacent land and to prevent water from running off of the composting facility.

105.3(8) Facilities shall be designed, constructed, and maintained so as to avoid or minimize ponding of water or liquids. Any ponding that does occur shall be corrected through routine facility maintenance within 48 hours after the termination of the event causing the ponding.

105.3(9) The operating area for composting shall be surrounded with appropriate barriers to prevent litter from blowing beyond the operating area. At the conclusion of each day of operation, any litter strewn beyond the confines of the operating area shall be collected and stored in covered leakproof containers or properly disposed.

105.3(10) Solid waste materials shall be managed through the entire process in accordance with best management practices, to minimize and prevent conditions such as odors, dust, and vectors which may create nuisance conditions. For the purposes of this chapter, "best management practices," is defined as the practices described in the most recent version of the "Compost Facility Operating Guide" published by the United States Composting Council or other best management practices as approved by the department. A copy of the "Compost Facility Operating Guide" is available for review at the field offices and records center of the department.

105.3(11) Storage of finished compost shall be limited to 18 months.

105.3(12) If finished compost is offered for sale as a soil conditioner or fertilizer, the compost must be registered by the Iowa Department of Agriculture and Land Stewardship under Iowa Code Chapter 200, Iowa Fertilizer Law. Sale shall be in compliance with all applicable federal and state laws and local ordinances and regulations.

105.3(13) Compost shall not be applied to land or sold or given away unless the concentration of human-made inert materials such as glass, metal, and plastic are less than 1.5 percent by dry weight. ~~Compost shall not be applied to land or sold or given away unless the size of any~~ human-made inert materials is less than 13 mm.

105.3(14) The composting facility shall obtain a NPDES permit as required in 567-Chapter 64.

567-105.4 (455B, 455D) Specific requirements for yard waste composting facilities. Yard waste compost facility operators are encouraged to be trained, tested, and certified by a department-approved certification program upon adoption of such a program by the department.

105.4(1) Before opening a yard waste composting facility, the waste management assistance division and the field office of the department serving the composting facility's location shall be notified in writing of the following:

- a. The location of the composting facility,
- b. Legal description of the facility,
- c. Landowner's name, telephone number, and mailing address,
- d. Responsible party's name, telephone number, and mailing address,
- e. Annual capacity of the facility,
- f. Source of the yard waste and any necessary bulking agent,
- g. Method of composting to be employed.

105.4(2) An all-weather surface must be used for receiving and for access to the facility. The all-weather surface shall be made of materials that will permit accessibility during periods of inclement weather.

105.4(3) The area of the composting facility must be large enough for the volume of yard waste composted.

105.4(4) Yard waste to be composted must be taken out of containers. Yard waste may be left in bags only if the bags are biodegradable.

105.4(5) Aerobic conditions shall be maintained in accordance with best management practices as defined in 105.3(10).

105.4(6) Reporting. An annual report summarizing the records required in 105.4(6)"a," 105.4(6)"b," 105.4(6)"c" shall be submitted to the waste management assistance division of the department and the field office of the department serving the composting facility's location by July 31st of each year. The report shall summarize the records from the fiscal year beginning July 1st of a previous calendar year and ending June 30th of the current year. The records required in 105.4(6)"a," 105.4(6)"b," and 105.4(6)"c" shall be condensed into monthly totals and an annual total.

- a. Amount of yard waste and any necessary bulking agent accepted in tons,
- b. Amount of finished compost removed from the facility in tons,
- c. How the compost removed from the facility was used. If possible provide the amount of tons used per use.

These records shall be maintained for a period of two years after last use of the compost facility. These records shall be maintained at the facility for inspection and evaluation by the department at any time during normal operating hours.

567-105.5 (455B, 455D) Permit requirements for solid waste composting facilities. All solid waste composting facilities shall meet the following requirements, except on-farm composting of dead animals generated on the same farm if operated in conformance with 105.9. ~~Application for a permit to construct and operate a solid waste composting facility shall be~~ made on form 50 (542-1542) and submitted to the department's Des Moines Central Office. This permit is issued under the authority of Iowa Code section 455B.305 for sanitary disposal projects which comply with the requirements of this chapter. A comprehensive solid waste management plan, completed in accordance with 567 IAC 101.4, shall be submitted to and approved by the waste management assistance division of the department before a permit can be issued.

This application must be accompanied by an operating plan encompassing, at a minimum, the design plans, specifications and additional information required by this chapter. Such permits are issued for a period of three years and are renewable for a period of three years.

The Department shall either approve or deny a permit to a person applying for a permit within six months from the date that the department receives a complete application. A *complete* application which is not denied within the six-month period shall be approved by default. The department shall issue a permit to the applicant within ten days following the date of default approval.

If an application for a solid waste composting facility permit is found not to be in full compliance with this chapter, the applicant will be notified of that fact and of the specific deficiencies. If the deficiencies are not corrected within thirty days following such notification, the application may be returned as incomplete without prejudice to the applicant's right to reapply. The applicant may be granted, upon request, an additional thirty days to complete the application.

105.5(1) A permit application for a new facility shall include a completed form 50 (542-1542) and the following:

- a. A map or aerial photograph locating the boundaries of the facility and identifying:
 - (1) Wells, streams, creeks, rivers, ponds, sinkholes, and drainage wells,
 - (2) North or other principal compass points,
 - (3) Zoning and land use within one-half mile,
 - (4) Haul routes to and from the facility with load limits or other restrictions,
 - (5) Homes and buildings within one-half mile,
 - (6) Section lines or other legal boundaries,
 - (7) Any nearby runway used or planned to be used by turbojet or piston type aircraft at FAA certified airports.

105.5(2) Design requirements. Design documents must be prepared by a professional engineer licensed in the state of Iowa (542B Code of Iowa) and must include the following:

- a. Detailed engineering drawings of the facility showing all roads, buildings, and equipment to be installed, litter control devices, pollution control devices, fire control devices, landscaping, gates, personnel and maintenance facilities, sewer and water lines, and process water, and indicating:
- b. Dimensions, details, and capacities of the proposed receiving, processing, production, curing, and storage areas. ~~The areas for composting must be adequate for the volume of solid waste being composted.~~ Provide design calculations justifying the size of the composting areas.
- c. Descriptions, specifications, and capacities of proposed equipment to be used in composting.
- d. Flow diagram of all operating steps.
- e. Composition of the operating surface. Receiving, processing, production, and curing must take place on a constructed, impervious base that can support the load of the equipment used under all weather conditions. The permeability coefficient of the base must be less than 1×10^{-7} cm/sec (0.00028 feet/day). Storage areas for finished compost must be made of materials that will permit accessibility during periods of inclement weather.
- f. Dimensions, details, and capacities of storm water management systems to prevent run-on and run-off from the composting facility. The storm water management systems must be designed to collect, and store all run-off water from the proposed receiving, processing, production, curing, and storage areas resulting from a 25-year, 24-hour precipitation event. Storm water management systems must meet applicable federal and state storm water regulations and shall not discharge to surface waters except as allowed by a NPDES permit.

105.5(3) Operating requirements. The operating plan shall provide the following:

- a. Method of composting.
- b. Duration of composting with a time frame for receiving, processing, production, curing, and storage.
- c. Description of storage of raw materials including quantity and types. All materials received must be incorporated into the composting process within 24 hours of receipt unless storage of these materials is specified in the plan and approved by the department.
- d. Description of the types, amounts, and sources of wastes to be received and processed daily. Prior to the facility expanding the amount or types of materials accepted, the facility shall request in writing and obtain approval from the department an amendment to the permit.
- e. Description of the aeration method and the aeration frequency to be used to maintain aerobic conditions in accordance with best management practices as defined in 105.3(10).
- f. Description of the methods to prevent, minimize, and manage odors.
- g. Description of the methods to prevent, minimize, and manage dust.
- h. Description of the methods to prevent, minimize, and manage flies, rodents and other vermin.
- i. Description of the specific procedures to be followed in case of equipment breakdown, maintenance downtime, and fire in equipment, composting material or buildings to include methods to be used to remove or dispose of accumulated waste and burned and damaged material.

- j. Plans for using or marketing the finished compost.
- k. Method(s) of disposing of collected storm water.
- l. Method(s) of maintaining storm water management systems to maintain design volume and to locate and repair leaks in the system.
- m. Description of the monitoring, sampling, and analysis procedures and schedule for testing the composting process and product including sampling frequency, sample size and number, and sample locations. Sample collection, preservation, and analysis must be done in a manner which assures valid and representative results. Two guidance documents describing in more detail methods for composting and compost monitoring, sampling and analysis are the most recent versions of the "Compost Facility Operating Guide" and the "Test Methods for the Examination of Composting & Compost" published by the United States Composting Council. A copy of each publication is available for review at the records center of the department. The department may inspect the facility and perform testing on the composting process and product at any time. Unless otherwise proposed in the operating plan and authorized in the permit, the permit holder shall test at a minimum:
 - (1) Twice weekly temperature readings of compost piles, batches, and windrows. Compost must be held at a temperature above 55 degrees Celsius (131 degrees Fahrenheit) for at least two weeks for the purpose of pathogen destruction. Other time periods may be approved by the Department.
 - (2) Weekly moisture levels of compost piles, batches, and windrows.
 - (3) Testing of the finished product. Compost shall not be applied to land or sold or given away unless the concentrations of human-made inert materials comply with 105.3(13) and the concentrations of all metals are less than the following:

Metal	Concentration mg/kg dry weight
Arsenic (As)	41
Cadmium (Cd)	39
Copper (Cu)	1500
Lead (Pb)	300
Mercury (Hg)	17
Nickel (Ni)	420
Selenium (Se)	36
Zinc (Zn)	2800

105.5(4) Application for permit renewal must be made on form 50 (542-1542) and must be received at the department's Des Moines office at least 90 days before the expiration date of the existing permit. The renewal application shall include any proposed changes to the design or operation of the facility, a revised closure plan if necessary, and a confirmation that a revised subsequent comprehensive plan has been approved.

The department shall conduct an inspection of the composting facility following receipt of the application for renewal. Following the inspection, the permit holder shall be notified of all

measures needed to bring the composting facility into conformance with the permit and these rules.

A permit shall be renewed when a complete application has been received and all corrective measures have been completed.

If an application for a solid waste composting facility permit renewal is found to be incomplete by the department, the applicant will be notified of that fact and of the specific deficiencies. If the deficiencies in the application have not been corrected within thirty days following the notification, the application may be denied.

567-105.6 (455B, 455D) Record keeping and reporting requirements for solid waste composting facilities. All solid composting facilities shall meet the following requirements, except on-farm composting of dead animals generated on the same farm if operated in conformance with 105.9.

105.6(1) Record keeping. The following records shall be maintained at the facility at all times and shall be submitted to the department upon request:

- a. Analytical results described in 105.5(3)"m." These results shall be recorded on a department approved reporting form.
- b. Types and weight of waste accepted at the facility daily and annually, in tons.
- c. Weight of compost removed from the facility daily and annually, in tons.
- d. How the compost removed from the facility was used. If possible, provide the amount of tons used per use.
- e. A copy of the plan, the permit, annual reports, and the current stormwater pollution prevention plan.

105.6(2) Reporting. An annual report summarizing the records required in 105.6(1)"a," 105.6(1)"b," 105.6(1)"c," and 105.6(1) "d" shall be submitted to the solid waste section and the waste management assistance division of the department by July 31st of each year. The report shall summarize the records from the fiscal year beginning July 1st of a previous calendar year and ending June 30th of the current year. The records required in 105.6(1)"b," 105.6(1)"c," and 105.6(1)"d" shall be condensed into monthly totals and an annual total.

567-105.7 (455B, 455D) Closure requirements for solid waste composting facilities. All solid waste composting facilities shall meet the following requirements, except on-farm composting of dead animals generated on the same farm if operated in conformance with 105.9. For each composting facility, a closure plan shall be submitted to the department containing a description of the steps necessary to close the facility. A permit shall not be issued unless the closure plan is approved.

105.7(1) An updated closure plan, including a schedule for closure, shall be submitted to the department at least 60 calendar days prior to the proposed termination date for the facility.

105.7(2) Unless an alternative schedule is approved by the department, within 14 calendar days of the facility ceasing operation, all waste and unfinished and finished compost shall be removed from the site.

567-105.8 (455B, 455D) Operator certification for solid waste composting facilities. All solid waste composting facilities shall meet the following requirements, except on-farm composting of dead animals generated on the same farm if operated in conformance with 105.9. Solid waste composting facility operators shall be trained, tested, and certified by a department-approved certification program upon adoption of such a program by the department. The person responsible for daily operation of the facility shall be certified.

~~567-105.9 (455B, 455D) Specific requirements for on-farm composting of dead animals generated on-site.~~ The owner of an animal feeding operation is encouraged to notify the waste management assistance division and the field office of the department serving the composting facility's location before initiating on-farm composting. On-farm composting facility operators are encouraged to be trained, tested, and certified by a department-approved certification program upon adoption of such a program by the department. On-farm composting of dead animals generated on the same farm is exempt from having a permit if the following operating requirements are met.

105.9(1) Dead animals are incorporated into the composting process within 24 hours of death and covered with sufficient animal manure, animal bedding, crop residues and clean wood waste free of coatings and preservatives necessary as bulking agent to prevent access by domestic or wild animals.

105.9(2) Composting is done in a manner that prevents formation and release of runoff and leachate and controls odors, flies, rodents and other vermin.

105.9(3) Dead animals are not removed from composting until all flesh, internal organs, and other soft tissue are fully decomposed.

105.9(4) Storage of finished compost shall be limited to 18 months and shall be applied to cropland, or pastureland at rates consistent with the nitrogen use levels necessary to obtain optimum crop yields and shall be applied in a manner as to prevent run-off to surface waters of the state. Application of compost to other lands shall require prior approval by the department.

105.9(5) Composting must be done on an all-weather surface of compacted soil, compacted granular aggregates, asphalt, concrete or similar relatively impermeable material that will permit accessibility during periods of inclement weather and prevent contamination of surface and groundwater.

If composting is done in a permanent structure, composter construction shall utilize weather and rot resistant materials capable of supporting composting operations without damage. Although not mandatory, a roof over the composting facility is recommended to prevent excess moisture accumulation that can lead to production of undesirable odors and leachate.

105.9(6) Composting must be done outside of wetlands or the 100 year flood plain and at least 100 feet from private wells, 200 feet from public wells, 50 feet from property lines, 500 feet from inhabited residences, and 100 feet from flowing or intermittent streams, lakes, or ponds.

These rules are intended to implement Iowa Code sections 455B.304 and 455D.9.

Date

Paul W. Johnson, Director

Ms. Stanley explained the rules in detail.

Terrance Townsend commented that the Commission normally receives a copy of the Responsiveness Summary from the public hearings and asked if staff is no longer doing that.

~~Ms. Stanley replied that it was not intentional to exclude the Commission and related that she has the list of comments and would be glad to share them with the Commission. She related that she will include the summary with rules in the future.~~

Rita Venner questioned the wording on page 8, under 567-105.9, the language states that AFO's are encouraged to notify WMAD, etc. She questioned the use of the word "encouraged" rather than "required."

Jeff Geerts explained that the wording WMAD originally used was "required," but the EPD urged the change to "encouraged" to promote as much composting of dead animal carcasses as possible and make the rule user friendly.

Director Johnson suggested working with NRCS and the Conservation Districts on this as they are working with farmers on composting as well. He related that way they would know we can provide some assistance if they want it.

Motion was made by Rozanne King to approve Final Rule--Chapter 105, Organic Materials Composting Facilities. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

SIoux COUNTY DEMAND FOR HEARING - ORANGE CITY DAIRY, LLP

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On March 22, 1999, the department issued Construction Permit No. CP-A99-009 to Orange City Dairy, LLP, approving construction of 1600 head dairy cattle confinement feeding operation. Notice of this action was delivered to the Sioux County Board of Supervisors on March 25, 1999. On April 8, 1999, that Board notified the department by facsimile of its intent to demand a hearing, and the demand for hearing was mailed to the department on April 12, 1999. A summary of legal provisions and pertinent documents relating to the demand and the department's and/or permittee's response to it have been provided to the Commission.

The Commission is requested to review this matter and render a final decision by May 17, 1999, which is 35 days from the date the County filed a demand for hearing.

(Copies of the briefs are on file in the department's Records Center)

Mr. Murphy stated that the representative for the county could not attend, so they submitted a written document in lieu of oral argument and that has been distributed to the Commissioners. He noted this is the department's first proceeding of this sort and there is a two page summary of the statute and what the rules say on how the proceeding should go. He asked Randal Clark to brief the Commission in this matter.

Randal Clark, Compliance and Enforcement Bureau, stated that Sioux County requested a hearing in regard to the Orange City Dairy construction permit. He displayed a map showing the location of the manure fields and the location of the proposed facility, and their proximity to the city. Mr. Clark stated that Sioux County appointed Orange City, City Attorney, Lauren Belthuisen, as their representative in this matter. He noted that the reasons provided by Mr. Belthuisen to request cancellation of the permit were outlined in his written statement. Mr. Clark stated that the county is urging the Commission to go beyond the statutory and rule requirements by inserting several additional requirements in the permit. He related that two of the things the county mentioned were accommodations previously offered by Orange City Dairy earlier in the application process, and those were as follows: 1) consider alternative manure application areas; and 2) share results of groundwater monitoring. He added that Sioux County has now mentioned a third requirement, which is monitoring of surface water quality downstream from a tile outlet. Mr. Clark stressed that all of the department's criteria had been satisfied by Orange City Dairy and therefore the permit was issued. He related that the additional requested items go beyond what is required by the statute and therefore the department's position is that they should not be added to the permit. Mr. Clark expanded on the three items requested and related that if they voluntarily decide to install groundwater lowering tile there are certain requirements that will have to be met. He noted that Orange City Dairy will be subject to minimum manure control requirements like any other animal feeding operation. He noted that if they land apply on land that has drainage tile under it, they would have to be aware of their application rates so they do not over apply and get it into the drainage tile. Mr. Clark stated that all of the requirements the county, by way of the city, is asking to include in the permit are things which go beyond the what the statute and department rules require. He reiterated that those things are voluntary and the dairy can do them if they so desire. He urged the Commission not to make those items a requirement and to affirm the construction permit as it was issued to Orange City Dairy.

Rite Venner noted that in the remarks from the city, on page 4, it says a new field drain tile project was undertaken by the applicant, and she questioned if it was actually the applicant.

Mr. Clark replied that it should say "permittee."

Discussion followed regarding the three cell earthen manure storage basin; the concrete receiving pit; the need for each cell to be emptied annually; and the location of the proposed facility being one-half mile from the city limits.

Appointment - Jay Van Ravenswaay

Jay Van Ravenswaay, representing Robert Wassenar of Orange City Dairy, LLP, stated that he took the permit to the Sioux County representatives and they made no comments during the 14-day comment period. He noted that the City Attorney was told by someone in the city to argue this and the only way they could do that was to get the county to open the door to the hearing. The county attorney said he would not argue the permit because it hadn't been proven that there were specific rules that were not being followed. Mr. Van Ravenswaay related that at that time he made suggestions to take the 160 acres out of the MMP and find an alternate site, but the city and county would not accept that. He related that now they are saying they will not take the permit away if the dairy goes with the alternate site. He noted that they still may look for an alternate site but would prefer it not be attached to the permit. Mr. Van Ravenswaay stated that it would really delay things to do that. He discussed the issue of the groundwater concern and the new tiles. He noted that he wants to make sure all the tile is running so there will not be any backed up water. He also discussed the cement day pit and the 3-cell storage basin.

James Braun asked if the outside perimeter tiles are connected to any inside tiles.

Mr. Van Ravenswaay replied that there are not any connected at this point, adding that the engineer will have to determine where and when they will have to connect, if at all.

Jim Braun asked about the distance of the groundwater below the base of the lagoon.

Kelly Stone, Environmental Protection Division, stated that it is a minimum of two feet.

Chairman Ehm asked if tile lines are placed around the perimeter of the basins if they would have to meet the requirements for that type of an installation.

Mr. Stone replied affirmatively adding that the requirements for a voluntary installation would be that either the tile has a surface outlet, or if it is to outlet to another subsurface drainage there has to be an upstream way to shut off the tile and to monitor the tile flow.

Motion was made by Rozanne King to affirm the decision of the department to issue the permit. Seconded by Gary Priebe.

Rita Venner commented that she would vote for the motion because the facility has followed all of the rules and regulations in applying for the permit, and she can see no justification to deny it. Commissioner Townsend agreed with Commissioner Venner's comments.

Chairman Ehm asked if the MMP specifies that injection will be used.

Mr. Van Ravenswaay replied that everything will be knifed in.

Discussion followed regarding the maximum acres of land for application and the separation distances from a town.

The vote on Commissioner King's motion carried unanimously.

AFFIRMED DNR DECISION TO GRANT PERMIT

MONTHLY REPORTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT May 1, 1999

PROPOSAL	NOTICE TO COMM	NOTICE PUBLISH	RULES REVIEW COMM	HEARING	FINAL SUMMARY TO COMM	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM	RULE EFFECTIVE
1. Ch. 4,5,6 - Agency Procedure for Rulemaking	4/19/99	*5/19/99	*6/07/99	----- -----	*7/19/99	*7/19/99	*8/11/99	*9/06/99	*9/15/99
2. Ch. 20, 21, 22, 23 & 25 - NESHAPS, Internal Corrections and Clarifications	2/15/99	3/10/99	4/06/99	4/09/99	5/17/99	*5/17/99	*6/16/99	*7/06/99	*7/21/99
3. Ch. 40, 41, 42, 43, & 83 - Water Supply & Environmental Lab Certification	3/15/99	4/07/99	5/11/99	5/4,6,24- 27/99	*6/21/99	*6/21/99	*7/14/99	*8/09/99	*8/18/99
4. Ch. 55 - Aquifer Storage and Recovery	3/15/99	4/07/99	5/11/99	5/4,6,24- 27/99	*6/21/99	*6/31/99	*7/14/99	*8/09/99	*8/18/99
5. Ch. 64 - Stormwater Permits	4/19/99	*5/19/99	*6/07/99	*6/18/99	*7/19/99	*7/19/99	*8/11/99	*9/06/99	*9/15/99
6. Ch. 105 - Organic Materials, Composting	3/15/99	4/07/99	5/11/99	4/27/99	*5/17/99	*5/17/99	*6/16/99	*7/06/99	*7/21/99

MONTHLY VARIANCE REPORT MAY 1999

Item No.	Facility	Program	Engineer	Subject	Decision	Date
1	AVEKA Manufacturing-Fredericksburg	Air Quality		Equipment Test	Approved	04/12/99
2	Camcar-Extron Inc.-Decorah	Air Quality	Thompson Environmental	Permit Requirements	Denied	04/16/99
3	Nora Springs, City of	Wastewater Construction	Yaggy Colby Associates	Bar Racks and Screens	Approved	04/02/99
4	Nora Springs, City of	Wastewater Construction	Yaggy Colby Associates	Sludge Holding Tank-Aeration & Mixing	Approved	04/02/99
5	Norwalk, City of	Wastewater Construction	Veenstra & Kimm, Inc.	Lagoon Groundwater Elevation	Approved	04/07/99
6	The Maytag Company-Plant #2-Newton	Wastewater Operations		Monitoring Frequency	Approved	04/16/99
7	Corn Belt Power Cooperative-Humboldt Station-Humboldt County	Solid Waste	Preston Engineering, Inc.	Cover-Slope	Approved	04/12/99
8	Corn Belt Power Cooperative-Humboldt Station-Humboldt County	Solid Waste	Preston Engineering, Inc.	Cover-Thickness	Denied	04/14/99
9	Corn Belt Power Cooperative-Wisdom Station Coal Combustion Residue Landfill-Clay County	Solid Waste	Preston Engineering, Inc.	Coal Combustion Residue	Approved	04/08/99
10	Corn Belt Power Cooperative-Wisdom Station Coal Combustion Residue Landfill-Clay County	Solid Waste	Preston Engineering, Inc.	Separation Distance-Property Boundry	Approved	04/08/99
11	Corn Belt Power Cooperative-Wisdom Station Coal Combustion Residue Landfill-Clay County	Solid Waste	Preston Engineering, Inc.	Separation Distance-Groundwater Table	Approved	04/08/99
12	Corn Belt Power Cooperative-Wisdom Station-Clay County	Solid Waste	Preston Engineering, Inc.	Cover-Thickness	Denied	04/08/99
13	Marshall County Sanitary Landfill	Solid Waste	Fox Engineering Associates, Inc.	Groundwater Monitoring	Approved	04/06/99
14	Ottumwa-Midland Sanitary Landfill	Solid Waste	RMT, Inc.	Groundwater Monitoring	Approved	04/06/99
15	Fairfield, City of	Watersupply Construction	French-Reneker & Associates, Inc.	Construction Materials	Approved	04/21/99
16	Fairfield, City of	Watersupply Construction	French-Reneker & Associates, Inc.	Installation Procedures	Approved	04/21/99
17	Jesup, City of	Watersupply Construction	Earth Tech	Construction Materials	Approved	04/12/99
18	Rock Valley Rural Water District	Watersupply Construction		Construction Materials	Approved	04/01/99
19	Shawver Well Co., Inc.-Fredericksburg	Watersupply Construction		Construction Materials	Approved	04/21/99
20	Stoney Pointe Subdivision-Johnson County	Watersupply Construction	MMS Consultants, Inc.	Construction Materials	Approved	04/26/99

Report of Hazardous Conditions

During the period April 1, 1999, through April 30, 1999, 92 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Petroleum Product	Agri - Chemical	Other Chemicals	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	52(70)	28(37)	11(17)	13(16)	20(28)	2(6)	24(28)	1(5)	0(0)	5(3)
Nov.	57(44)	35(25)	9(9)	13(10)	30(15)	2(3)	23(23)	0(2)	0(0)	2(1)
Dec.	41(52)	23(27)	5(19)	13(6)	21(21)	2(4)	15(22)	1(4)	0(0)	2(1)
Jan.	30(42)	15(32)	0(3)	15(7)	20(19)	0(2)	6(16)	2(1)	0(1)	2(3)
Feb.	43(42)	25(32)	4(3)	14(7)	26(19)	1(2)	12(16)	1(1)	0(1)	3(3)
Mar.	50(53)	32(37)	12(9)	6(6)	27(29)	1(0)	20(16)	0(4)	0(0)	2(4)
Apr.	92(60)	49(23)	26(23)	17(14)	46(25)	1(3)	43(25)	0(5)	0(0)	2(2)
May										
Jun.										
Jul.										
Aug.										
Sept.										

(numbers in parentheses for the same period in fiscal year '98)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
13	8	17	15	27	12

ENFORCEMENT REPORT UPDATE

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Anthony's Resort, Sherrill (2)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate; MCL - Bacteria; Public Notice	Order/Penalty \$2,100	4/1/99
Norman Klynsmas d/b/a OK One Stop Service, Hospers (3)	Under-ground	Site Assessment	Order/Penalty \$2,460	4/5/99

	Tank					
Aaron Tolander, Louisa Co. (6)	Animal Feeding Operation	Prohibited Confinement; Violations Criteria	Discharge – Water Quality – General	Order/Penalty \$3,000	4/13/99	
Mid-County Water, Inc.; Spring Green Estates, Toddville (1)	Drinking Water	Monitoring/Reporting Nitrate, Other Public Notice	– Inorganics;	Order/Penalty \$500	4/13/99	
Rex Liekweg, Cerro Gordo Co. (2)	Solid Waste	Illegal Disposal		Order/Penalty \$300	4/16/99	
Harold Unternahrer, Wayland (6)	Animal Feeding Operation	Prohibited Confinement	Discharge –	Referred to AG	4/19/99	
Horsley Specialties, Inc., Des Moines (5)	Air Quality	Asbestos		Order/Penalty \$5,000	4/20/99	
Snap-On Tools Company, Algona (2)	Air Quality	Construction Permit	Without	Order/Penalty \$1,500	4/18/99	
Grandma's Snack Shop, Aredale (2)	Drinking Water	MCL – Bacteria		Order	4/22/99	
Beacon, City of (5)	Wastewater	Compliance Discharge Limits	Schedule;	Order	4/30/99	
CGB Company a/k/a Rock Communications, Ltd. Newton (5)	Air Quality	Emission Standards		Order/Penalty \$10,000	4/30/99	
Nestle USA-Beverage Division, Waverly (1)	Wastewater	Discharge Limits		Consent Order	4/30/99	
Flying J Inc., Clive (5)	Wastewater ;Under- ground Tank	Discharge Monitoring Deficiencies; Assessment	Limits; Site	Order/Penalty \$6,000	4/30/99	
Dean Adrian Clinton Co. (6)	Animal Feeding Operation	Prohibited Feedlot; Violations-General Criteria	Discharge-Open Water Quality	Referred to AG	3/15/99	
Sale-R-Villa Construction Co.; Carl A. Burkhart, Perry (5)	Air Quality	Asbestos		Referred to AG	3/15/99	
Troy P. and Sandra L. Hanson, Eagle Grove (2)	Animal Feeding Operation	Prohibited Confinement; Violations-General Criteria	Discharge- Water Quality	Referred to AG	3/15/99	
Holnam Incorporated,	Air Quality	Excess Emissions		Referred to AG	3/15/99	

Mason City (2)

LaFarge Corporation, Davenport (6)	Air Quality	Excess Emissions		Referred to AG	3/15/99
Ivan Stoltzfus, Decatur City (5)	Wastewater	Construction Permit	Without	Order/Penalty \$2,500	3/16/99
Hargrave-McEleney, Inc., Iowa City (6)	Drinking Water	MCL – Other Inorganics		Order/Penalty \$1,000	3/22/99
Gerald and Judith Vens, Dixon (6)	Flood Plain	Construction Permit; Operation Permit	Without Without	Order/Penalty \$5,000	3/31/99
Richard Greiner, Washington Co. (6)	Animal Feeding Operation	Prohibited Confinement, Open Feedlot; Water Quality General Criteria	Discharge- Violations-	Order/Penalty \$3,000	3/31/99

SUMMARY OF ADMINISTRATIVE PENALTIES

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Searsboro, City of	WW	2,500	11-08-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
*Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	9,530	6-05-97
Fibred-Iowa, Inc. (Iowa Falls)	AQ	2,000	7-29-97
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
Albert Fleming (Clayton Co.)	FP	2,000	9-06-98
# Vande Haar Dairy Farm (Marion Co.)	AFO	3,000	9-15-98
Kalona Golf Club (Washington Co.)	WS	250	10-31-98
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Leland DeWitt (Louisa Co.)	AQ/SW	3,000	11-21-98
* Gary Lund Construction (Eagle Grove)	SW	1,250	3-01-99
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000	12-19-98
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	1,400	3-15-99

Environmental Protection Commission Minutes

May 1999

Mark Geerdes (Kossuth Co.)	SW	550	2-04-99
Jim Walker (Johnson Co.)	AQ/SW	3,000	2-14-99
* Dakota Mobile Home Park (Oxford)	WW	750	4-15-99
* Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	1,000	3-15-99
Aeroplane Inn (Honey Creek)	WS	1,125	2-16-99
* Milton, City of	SW/AQ	250	5-16-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Russ Winkowitsch (Butler Co.)	FP	500	3-06-99
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800	3-06-99
J Wood Park (Clayton Co.)	WS	100	3-06-99
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000	3-09-99
Koch's Meadow Lake Campground (Cedar Co.)	WS	200	3-11-99
Nancy's Country Inn (Cedar Rapids)	WS	100	3-13-99
Plantation Village Mobile Home Park (Burlington)	WS	500	3-13-99
Plantation Village Mobile Home Park (Burlington)	WW	2,000	3-13-99
Spillway Supper Club (Harpers Ferry)	WS	100	3-14-99
Wee Willy's (Quasqueton)	WS	100	3-15-99
* River City Hardwoods, Inc. (Muscatine)	AQ	1,000	5-01-99
* Jeff Bendickson; Karen Bohl (Manhly)	AQ/SW	400	5-01-99
Hofer's Danceland Ballroom (Walford)	WS	100	4-23-99
* R.V. Hopkins, Inc. (Davenport)	AQ	12,700	5-16-99
Bowlaway Lanes (New Hampton)	WS	100	4-20-99
Full Moon Saloon (Jesup)	WS	500	4-23-99
* Orrie's Supper Club, Inc. (Hudson)	WS	520	5-01-99
* Randy Foth d/b/a Foth Lumber Co. (Livermore)	AQ	3,000	5-01-99
Stokely USA, Inc. (Ackley)	WW	1,000	5-07-99
* Jeff Bendickson; Karen Bohl (Manhly)	AQ/SW	450	5-11-99
Mark Stillmunkes (Jackson Co.)	AQ/SW	1,000	5-19-99
Hargrave-McEleney, Inc. (Iowa City)	WS	1,000	5-25-99
* Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000	6-01-99
*#Verton S. Miller (Johnson Co.)	AFO	625	8-10-99
# Richard Greiner (Washington Co.)	AFO	3,000	6-02-99
Norman Klynsma d/b/a OK One Stop Service (Hospers)	UT	2,460	6-08-99
Rex Liekweg (Cerro Gordo Co.)	SW	300	6-20-99
Plum Enterprises; Clinton Graham (Polk Co.)	SW	1,000	----
Deer Ridge Estates (Ottumwa)	WS	100	----
Outer Limits Quick Mart (Woodbine)	WS	100	----
# Aaron Tolander (Louisa Co.)	AFO	3,000	----
Horsley Specialties, Inc. (Des Moines)	AQ	5,000	----
Flying J Inc. (Clive)	WW/UT	10,000	----
CGB Printing Co. a/k/a Rock Communications Ltd. (Newton)	AQ	10,000	----
Snap-On Tools Company (Algona)	AQ	1,500	----
	TOTAL	154,805	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94

Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Charlie's Supper Club (Algona)	WS	100	8-01-98
Edward Bodensteiner (Des Moines)	UT	3,200	3-31-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500	
Pewe Mercantile, Inc.; Dion Pewe (Grand Mound)	UT	10,000	9-20-98
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
# Rodney Mullins (Humboldt Co.)	AFO	500	8-22-98
Oakland Mills Store (Mt. Pleasant)	WS	200	9-07-98
Action Jack's Paintball Park (Polk Co.)	SW/FP	10,000	11-07-98
#*Harold Unternahrer (Washington Co.)	AFO	700	5-01-99
Sale-R-Villa Const., Inc. (Perry)	AQ	7,000	5-01-98
TOTAL		106,954	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Frank Hulshizer (Benton Co.)	SW	500
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,500
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400

Environmental Protection Commission Minutes

May 1999

Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Roy Burger (Gillette Grove)	UT	5,400
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	10,000
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Dallas County Care Facility (Adel)	WW	2,500
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Ron Rupe (Polk Co.)	SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Carroll, City of	WS	3,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition;	AQ/SW	1,000
Clara Lindstadt (Des Moines Co.)		
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Wayne Johnson (Rockford)	AQ/SW	1,000

Sylvan Acres (Janesville)	WS	1,000
Paul Behounek; Todd Behounek (Tama Co.)	AQ/SW	7,100
Delaware County Landfill, Inc.	SW	5,000
Brittany Estates Addition (Manchester)	WS	4,000
Country Pumpkin (Deloit)	WS	500
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm.	SW	10,000
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Stellar Industries, Inc. (Garner)	AQ	3,000
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Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash (Merrill)	WW	5,000
Iowa Mold Tooling Co., Inc. (Garner)	AQ	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
North Central Cooperative (Clarion)	WW/HC	2,000
Troy Elevator, Inc. (Troy)	WW/HC	4,000
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
Sac City, City of	WW	4,000
Rockwell City, City of	WW	10,000
Ed Engelbrecht d/b/a E & E Auto Salvage (Lee Co.)	AQ/SW	1,000
Enviro Safe Air, Inc. (Creston)	AQ	10,000
Pathway Christian School (Kalona)	WS	500
Pictured Rocks Methodist Camp (Monticello)	WS	700
Wiese Corporation (Perry)	AQ	5,000
Ben Haven Mobile Home Park	WS	5,500
Rosebar Tire Shredding Center; Dan Schwitters (Vinton)	SW	10,000
West Liberty, City of	WW	5,000
The Legacy Group, L.C. (Des Moines)	WW	10,000
The Elm's Corporation of Linn County (Cedar Rapids)	UT	4,700
Eagle Lane Corp. (Blue Grass)	WS	4,000
Barr Farm Venture; Mel Foster Co. Properties (Scott Co.)	WW	10,000
Casey's General Stores, Inc. (Johnston)	UT	8,000
Robert Diehl (Clarke Co.)	WW/WS	5,000
Duane Hanson d/b/a Cedar Valley Tire Recycling (Allamakee Co.)	SW	5,000
Underwood Motel (Underwood)	WS	4,000
Kraus's Serene Wooded Acres (Amana)	WS	500
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	10,000
Dyersville Golf and Country Club (Dyersville)	WS	1,500
# Bernadette Ryan (Delaware Co.)	AFO	3,000
Lonnie King (Marion Co.)	AQ/SW	1,600
Wareco System of Iowa, Inc. (Burlington)	UT	6,100
Dennis Sharkey, Sr.; Dennis Sharkey, Jr. (Dubuque Co.)	AQ/SW	10,000
Super 20 Mobile Home Park (Dubuque)	WS	1,000
West Union Cooperative Co. (West Union)	WW	10,000
Country Terrace Mobile Home Court (Boone)	WW	5,000
Country Terrace Mobile Home Court (Boone)	WS	5,000
Paris & Sons; Thomas Paris (Masonville)	WW/HC	10,000
Dayton, City of	WW	10,000
Williamsburg Manufacturing (Williamsburg)	AQ	3,000
Lund Manufacturing Company, Inc. (Farley)	AQ	4,000
# Peter Bockenstedt (Dubuque Co.)	AFO	3,000
# Dan Gotto (Dubuque Co.)	AFO	3,000
# Matthew Daly (Dubuque Co.)	AFO	3,000
Tiffin, City of	WW	5,000

Westside Park for Mobile Homes (Burlington)	WW	7,000
Woolstock, City of	WW	5,000
Fayette County Sanitary Landfill	SW	10,000
Des Moines, City of	WW	5,000
Shenandoah, City of	WW	5,000
Robert Simon (Dubuque Co.)	AQ/SW	5,000
Ivan Stoltzfus (Decatur Co.)	WW	2,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
Mid-County Water, Inc.; Spring Green Estates (Toddville)	WS	500
Anthony's Resort (Sherrill)	WS	2,100
TOTAL		511,675

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Tyler Excavating; Fred Knosby (Warren Co.)	SW	750
* Milton, City of	SW/AQ	250
The Heights (Monticello)	WS	50
# Troy Hanson (Wright Co.)	AFO	1,500
* Jeff Bendickson; Karen Bohl (Manhly)	AQ/SW	50
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	50
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	1,000
Coralville Lake Terrace Assn. (North Liberty)	WS	550
The Sportsmen (Oelwein)	WS	500
Holland Contracting Corp. (Forest City)	AQ	100
* Randy Foth d/b/a Foth Lumber Co. (Livermore)	AQ	1,000
* River City Hardwoods, Inc. (Muscatine)	AQ	1,000
* R.V. Hopkins, Inc. (Davenport)	AQ	500
Etter Livestock (Chariton)	WW/SW	2,000
Dennis Tasler (Webster City)	AQ	4,500
Kind & Knox Gelatine, Inc. (Stipulated Penalty)	WW	39,900
TOTAL		53,700

The \$10,000 penalty assessed to Vermeer Manufacturing (Pella) was rescinded.

The following underground tank penalty cases have been moved to a status of "deferred enforcement" and will no longer appear on the active penalty report. In general these penalties were assessed prior to changes to the tank laws and the circumstances of the parties are such that collection procedures by referral to the Attorney General would not be cost-effective. In most cases the underlying problem is being taken care of. In most cases, we have registered the penalty amount with the Iowa Department of Revenue and Finance, so that if the party is due to receive a tax refund or some other payment from the State, we will be contacted first and have an opportunity to collect through an offset. If the Commission wishes to discuss the particular circumstances of any of these cases, we should go into closed session.

Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95

ATTORNEY GENERAL REFERRALS

May 1, 1999

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Adrian, Dean Clinton Co. (6)	Animal Feeding Operation	Prohibited Discharge-Open Feedlot; Water Quality Violations-General Criteria	Referred to Attorney General	Referred	3/15/99
Advanced Technologies Corp. Iowa City (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Order Granting Leave to Add Parties Trial Date	6/20/97 6/05/98 2/17/99 9/27/99
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred Petition Filed Trial Date	5/29/96 6/05/98 9/23/99
Barkema, Russell d/b/a Barkema Construction Wright Co. (2) UPDATED	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Motion for Judgment	2/15/99 5/03/99
Bodensteiner, Edward Des Moines (5)	Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	8/17/98 12/22/98
Clark, Doug d/b/a Charlie's Supper Club Livermore (2)	Drinking Water	Failure to Renew Permit; Monitoring /Reporting	Order/Penalty	Referred Petition Filed	7/20/98 9/24/98
DeCoster, A.J. Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Hearing on Pre-Trial Motion Order Denying Defendant's Motion Order Granting State's Motion State's Motion to Compel Hearing Order Granting State's Motion Trial Closing Arguments Ruling (\$59,000/Civil) Defendant's Notice of Appeal Defendant's Brief Filed Defendant's Amended Brief Filed State's Brief Filed State's Amended Brief Filed Defendant's Reply Brief Filed	7/17/95 1/23/96 10/28/96 11/06/96 11/21/96 1/28/97- 2/06/97 2/11/97 2/21/97 3/05/97 3/28/97 9/05/97 4/04/97 9/05/97 9/24/97 1/12/98 1/22/98 2/19/98
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Sow Unit #1 (See Below)	8/19/96 11/25/96 4/28/97

DeCoster, Austin J. Sow Unit #1 (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed State's Motion to Change Venue State's Motion to Consolidate Order Granting Motions Amended & Substituted Petition Filed Defendant's Motion for Partial Summary Judgment State's Motion for Partial Summary Judgment	1/22/97 4/24/97 4/28/97 4/28/97 4/28/97 5/19/97 7/14/97 8/04/97
				Hearing on Defendant's Motion for Partial Summary Judgment Hearing on State's Motion for Partial Summary Judgment Ruling Denying Defendant's Motion for Partial Summary Judgment Ruling Granting State's Motion for Partial Summary Judgment Trial Ruling for State Defendant's Notice of Appeal Defendant's Proof Brief Filed State's Brief	8/11/97 8/25/97 9/02/97 9/04/97 9/16-18/97 1/15/98 2/13/98 7/08/98 10/08/98
DeCoster, Austin J. Sow Unit #11; Nursery Unit #7 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Nursery Unit #4 (See Below)	6/20/97 3/20/98
DeCoster, Austin J. Nursery Unit #4 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date Post Trial Brief	8/18/97 3/20/98 3/16/99 3/30/99
DeCoster, Austin J. Sow Unit #3 Hamilton Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	12/15/97
DeCoster, Austin J. Nursery M-1 Lucas Co. (5)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	11/16/98
Farmers Companies, Inc. Poweshiek Co. (1)	Hybrid Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	3/16/98 3/11/99
Flannegan Conservation Service; Hugh J. Flannegan Emmetsburg (3)	Solid Waste	Operation Without Permit	Referred to Attorney General	Referred	11/16/98
Freese, Ken South English (6) UPDATED	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Motion for Judgment Hearing	12/21/98 4/26/99 5/24/99

Fry, Elery; Allen Fry; Beck Sandeen, Monroe Co. (5) UPDATED	Solid Waste	Illegal Disposal	Order/Penalty	Referred Motion for Judgment	2/15/99 4/22/99
Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2) UPDATED	Air Quality	Open Burning	Order/Penalty	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Granted State's Motion for Partial Summary Judgment Order Granting Partial Summary Judgment Trial Date Ruling (\$3,500,000/Civil)	1/20/98 8/25/98 9/28/98 10/26/98 2/12/99 3/18/99 4/14/99 4/22/99
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	12/18/95 4/18/96 11/01/96
Hanson, Troy P. and Sandra L. Eagle Grove (2) UPDATED	Animal Feeding Operation	Prohibited Discharge- Confinement; Water Quality Violations-General Criteria	Order/Penalty	Referred Admin. Penalty Paid (\$1,500)	3/15/99 4/13/99
Henry County Board of Supervisors Henry Co. (6)	Wastewater	Other; Operation Violations	Referred to Attorney General	Referred	2/15/99
Hidden Valley Mobile Home Court Washington Co. (6)	Drinking Water	Monitoring /Reporting - Lead and Copper	Order/Penalty	Referred Petition Filed	1/20/98 9/29/98
Holnam Incorporated Mason City (2)	Air Quality	Excess Emissions	Referred to Attorney General	Referred	3/15/99
Huyser, James; Trust Trucking Lovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96
LaFarge Corporation Davenport (6)	Air Quality	Excess Emissions	Referred to Attorney General	Referred	3/15/99
LaFollette, James; Kurt Douglas Marion Co. (5)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	11/16/98
Larson, Daryl Clinton Co. (6)	Wastewater	Prohibited	Referred to Attorney General	Referred Petition Filed	10/20/97 6/26/98

Environmental Protection Commission Minutes

May 1999

		Discharge	Trial Date		5/26/99
Lehigh Portland Cement Co. Mason City (2)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	8/17/98
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
McCoy, Patrick Keokuk Co. (6) UPDATED	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Motion for Judgment	2/15/99 4/22/99
Morgan, Ron d/b/a Action Jack's Paintball Park Polk Co. (5)	Solid Waste	Illegal Disposal	Order/Penalty	Referred	2/15/99
Mullins, Rodney Eagle Grove (2)	Animal Feeding Operation	Prohibited Discharge – Confinement	Order/Penalty	Referred Motion for Judgment Filed	2/15/99 3/18/99
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction	12/15/97 10/02/98 2/04/99
Pewe Mercantile, Inc.; Dion Pewe Grand Mound (6) UPDATED	Underground Tank	Insurance Violation; Site Check	Order/Penalty	Referred Petition Filed	11/16/98 4/08/99
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)	Underground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
Sale-R-Villa Construction Co. Carl A. Burkhart Perry (5)	Air Quality	Asbestos	Order/Penalty	Referred	3/15/99
Stafford, Dean d/b/a Oakland Mills Store Mt. Pleasant (6)	Drinking Water	Operation Without Permit; Monitoring/Reporting - Nitrate	Order/Penalty	Referred Motion for Judgment Filed Hearing	2/15/99 3/19/99 4/26/99
Tire Tech Environmental		Tire Processing	Referred to	Referred	4/20/98

May 1999

Environmental Protection Commission Minutes

Systems, Inc. Muscatine (6)	Solid Waste	Permit Violations	Attorney General	Petition Filed Hearing on Temporary Injunction Temporary Injunction Trial Date	6/23/98 8/25/98 9/15/98 5/10/99
Tracy, Ronald d/b/a TRACE, Inc. Howard Co. (1)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Criminal Complaint Filed	11/17/97 11/26/97
Tyler Excavating Warren Co. (5) UPDATED	Solid Waste	Illegal Disposal	Order/Penalty	Referred Admin. Penalty Paid (\$750)	2/15/99 4/05/99
Unternahrer, Harold NEW Wayland UPDATED	Animal Feeding Operation (6)	Prohibited Discharge	Order/Penalty	Referred Admin. Penalty Paid (\$700)	4/19/99 4/23/99
Village Realty Pottawattamie Co. (4)	Underground Tank	DNR Defendant	Defense	Petition Filed State's Motion to Dismiss Order Granting Partial Dismissal	8/12/98 10/08/98 12/22/98
Weber Construction, Inc. Cascade (1)	Air Quality	Asbestos	Petition for Review	Petition Filed Answer Filed Hearing	11/19/98 12/23/98 8/24/99
White, Robert Jeff Dallas Center (5)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed	4/20/98 2/05/99
Williams, Dean d/b/a Williams Oil Co. Stuart (4)	Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	10/20/97 9/24/98
Wunschel Oil Co.; Vernus Wunschel and Jaquelyn Wunschel Battle Creek (3)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Motion for Judgment Consent Decree (\$6,400/Admin.) Referred	1/17/95 8/28/96 12/13/96 3/30/98

CONTESTED CASES

Date Received	Name of Case	Action Appealed	Program	Assigned To	Status
6-08-89	Shaver Road Investments	Site Registry	HW	Tack	Testing completed 10/13/98. Revised order sent.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Tack	Testing completed. Revised order sent.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Tack	Permit issued. District court suit dismissed. Field Office overseeing compliance. Progress

Environmental Protection Commission Minutes

May 1999

6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-3/97.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Tack	Settlement reached. Clean-up to be completed by 7/1/99. Awaiting dismissal of appeal.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement close, 2/99.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Tack	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin.	WW	Murphy	Negotiating before filing.
5-05-92	Plymouth Cooperative Oil Co.	Admin.	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Wornson	Negotiating before filing.
11-16-92	Frank Hulshizer	Admin.	SW	Tack	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Wornson	Tier 2 submittred. Under review.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Tanks closed. Property sold. Buyer not Fund eligible and bankrupt. Hearing held 3/23/99.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Attorney contacted 3/26/99..
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Letter sent 12/31/98.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report
9-01-94	Elmer R. Faust d/b/a Faust Garage	Admin.	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin.	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin.	AQ	Preziosi	Penalty paid 4/13/99. Settled.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Tack	Consent order sent to parties. Awaiting Dept. of Agriculture resolution.
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel;	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Tack	Hearing continued by ALJ because of bankruptcy.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Wornson	Inability to pay - requested documentation -- no response. State lead -- tanks removed. To be

12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Tack	Penalty settlement reached. Final payment due 7/1/99.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS
3-23-95	American Coals Corp.	Admin. Order	SW	Tack	Awaiting consent order approval. Awaiting Dept. of Agriculture resolution.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Tack	Remediation plan received 5/27/96.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F	Admin. Order/Penalty	HC/WW	Tack	Settled. Penalty due 6/1/99.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-25-95	Fremont County SLF	Admin.	SW	Tack	Negotiating before filing.
5-30-95	Earth Media Technologies	Admin.	SW	Tack	Clean-up completed.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin.	SW	Tack	Penalty settlement due 8/30/97.
7-03-95	Donald J. Foreman d/b/a D & R	Admin.	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin.	WW	Hansen	Informal meeting held for 6/7/96. Response
7-10-95	Donald Krieger	Admin.	UT	Wornson	Tanks removed. Report due.
7-10-95	Gilbert Persinger/Smithland Store	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress. Proposed for state lead.
8-01-95	Wilbur McNear d/b/a McNear Oil Co./Charter Oak	Admin. Order/Penalty	UT	Wornson	SCR received/rejected. Referral for state lead. Negotiating penalty.
8-24-95	Shell Rock Products, Inc.	Admin.	AQ/SW	Preziosi	Settled. Awaiting penalty payment.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing. Attorneys contacted 2/99.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing held 4/25/97. Decision received in DNR's favor. Penalty reduced. Decision
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
12-12-95	Vernon Kinsinger; K & K Sanitation	Admin. Order/Penalty	AQ/SW	Tack	Clean-up progressing. Working with F.O. #6. Receiving penalty payments.
12-29-95	Spencer Memorial Hospital	Admin.	AQ	Preziosi	Settled. Awaiting penalty payment.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Wornson	Compliance initiated by Atlantic Bottling. Comingled with coal tar. Joint agreement
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection
1-11-96	Climax Molybdenum Company	Admin.	AQ/HC	Preziosi	Hearing set for 4/26/99.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Medora Store	Admin. Order/Penalty	UT	Wornson	Hearing held 3/23/99. Awaiting decision.
1-25-96	Hidden Valley Mobile Home Park	Admin.	WW	Clark	Negotiating before filing.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..

Environmental Protection Commission Minutes

May 1999

3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer. New waste load allocation and permit
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	AO rescinded. District court order entered resolving issues. Closed.
5-14-96	Gary Lee Walker	Admin.	AQ/SW	Tack	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Information received and reviewed by EPD.
5-29-96	Haasco, Ltd.	Admin.	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	AFO	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification	SW	Tack	Hearing set for 6/29/98 - settlement pending.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Tack	Hearing held 3/29/98. Awaiting ALJ decision.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	AFO	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	AFO	Clark	Hearing continued - date to be set.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Wornson	Tier 2 received. Negotiating penalty.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Penalty installments received. Settled pending receipt of all installments.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	AFO	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	Permit Revocation	AFO	Clark	Hearing continued indefinitely.
10/28/96	Holliman, Ltd.	Admin. Order/Penalty	SW/WW	Tack	Hearing set for 5/21/99.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M Woodshavings	Admin. Order/Penalty	AQ/SW	Tack	Settled. Penalty payment plan. Awaiting payment.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Returned to compliance. 4/99 - Settlement offer sent to City.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Tack	Settled. Awaiting penalty payment.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial
12/05/96	Organic Technologies Corp. ----- 91-SDP-02-94P	Admin. Order/Penalty	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial
1/02/97	Ruan Leasing Co., aka Ruan Transportation Management	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage & Demolition;	Admin. Order/Penalty	SW/AQ	Tack	Default order issued 4/27/99. Appeal dismissed.
2/07/97	Craig Burgin	Admin. Order/Penalty	UT	Wornson	Compliance complete. Dismissed without prejudice. Closed.
2/19/97	Cliff's Place, Inc.	Admin.	WS	Hansen	Compliance initiated.
2/21/97	Farmland Foods, Inc. (Denison)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/04/97	Wayne Johnson	Admin.	SW/AQ	Tack	Negotiating before filing.
3/20/97	Sylvan Acres	Admin.	WS	Hansen	Compliance initiated.

3/28/97	Paul Behounek; Todd Behounek	Admin.	SW/AQ	Tack	Proposed decision 4/23/99.
4/10/97	Lehigh Portland Cement	PSD/Permit Denial	AQ	Kaizer	Appeal moot. Withdrawal of PSD application. Closed.
5/07/97	Delaware County Landfill, Inc.	Admin.	SW	Tack	Negotiating before filing.
6/06/97	Carroll's Foods of the Midwest	Const. Permit	WW	Clark	Negotiating before filing.
6/30/97	Linwood Mining and Minerals	Admin. Order	AQ	Preziosi	Negotiating before filing.
7/22/97	CIPCO	Construction	AQ	Preziosi	Negotiating before filing.
7/22/97	Robert P. Frees; Elizabeth R. Mathes	Admin. Order/Penalty	SW	Tack	Settlement reached. Cleanup underway.
7/30/97	Country Pumpkin	Admin.	WS	Hansen	To be sent to DIA. Not in compliance.
7/31/97	Advanced Technologies Corp.	Admin.	AQ	Preziosi	Settled. Awaiting penalty payment.
8/01/97	Dodger Enterprises Co., Tire Chop Division; Donald Grell	Admin. Order	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court.
8/05/97	Biovance Technologies	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/08/97	Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Mgmt.	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
8/15/97	Ralston Purina Co.	Permit Conditions (25)	AQ	Preziosi	Settled.
8/18/97	Stellar Industries Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/25/97	Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash	Admin. Order/Penalty	WW	Murphy	Case on hold pending compliance. Compliance to be achieved summer of 1999. Letter to
9/17/97	Keokuk Steel Castings	Admin.	AQ	Preziosi	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	Admin.	AQ	Preziosi	Negotiating before filing.
10/6/97	North Central Cooperative	Admin. Order/Penalty	HC/WW	Murphy	11/98 - Site assessment approved. Settlement pending 2/26/99.
10/6/97	Holnam, Inc.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/7/97	Ottumwa, City of	Variance Denial	WW	Hansen	Informal meeting held 11/13/97. City submitted proposal. Letter sent to City
10/22/97	Lehigh Portland Cement Co.	Admin. Order	AQ	Preziosi	Settlement close.
11/19/97	Troy Elevator, Inc.	Admin. Order/Penalty	WW/HC	Murphy	Site assessment conditionally approved 11/98.
12/02/97	Dows, City of	Admin. Order	WW	Hansen	F.O. 2 inspection 3/98. To be set for hearing. 4/99 - Letter received from City engineer
12/12/97	Donald E. Grell; Dodger Enterprises, Tire Chop Division	Notice of Intent to Revoke Solid	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court.
1/13/98	DeCoster Farms of Iowa (Nursery #8) (Wright Co.)	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
1/16/98	Pilgrim Heights Camp	NPDES Permit	WW	Hansen	Negotiating before filing.
1/23/98	Sac City	Admin.	WW	Hansen	Status report received from city's consultant.
1/30/98	Rockwell City	Admin.	WW	Hansen	Meeting on 4/22/98 with city's engineer
2/13/98	Ed Engelbrecht d/b/a E & E Auto	Admin.	AQ/SW	Tack	Negotiating before filing.
3/06/98	Enviro Safe Air, Inc. (98-AQ-05)	Admin.	AQ	Preziosi	Negotiating before filing.
3/16/98	Pathway Christian School	Admin.	WS	Hansen	Negotiating before filing.
4/03/98	Pictured Rocks Methodist Camp	Admin. Order/Penalty	WS	Hansen	Facility agreed to install chlorination. FO 2 inspection on 6/29/98.
4/03/98	Cooperative Oil Company; Mickey Berg	Admin. Order	UT/WW	Wornson	Compliance initiated.
4/23/98	North Liberty, City of	Admin. Order	WW	Hansen	Negotiating before filing.
4/27/98	Weise Corporation	Admin.	AQ	Preziosi	Negotiating before filing.
5/04/98	Ben Haven Mobile Home Court	Admin.	WS	Hansen	Chlorination system installed by WS.
5/11/98	Teri Cook-Schlutz	401 Certification	WQ	Murphy	Appeal moot. Letter sent 4/28/90.
7/01/98	Ag Processing, Inc.	Permit Conditions	AQ	Preziosi	Negotiations continue.
7/27/98	Mitchell Dam Bar	Permit Conditions	WS	Hansen	Negotiating before filing.

7/28/98	Q.C. Metallurgical Laboratory	Laboratory Certification	UT	Wornson	Settlement reached. Compliance achieved. Recertified. Closed.
7/29/98	Eagle Lane Corporation	Admin. Order/Penalty	WS	Hansen	Water supply in compliance with monitoring requirements.
7/29/98	Archer Daniels Midland 98-A-507P thru 98-A-515P	Permit Provisions	AQ	Preziosi	Negotiating before filing.
8/13/98	Obie's Hurstville Tap	Admin. Order	WS	Murphy	Letter sent 2/26/99. On hold pending monitoring.
8/18/98	University of Iowa	Permit Conditions	WW	Hansen	Settlement offer sent 10/98. Follow-up letter sent 3/22/99.
9/15/98	Verton S. Miller	Admin. Order/Penalty	AFO	Clark	Penalty installment received 2/11/99. Settled pending receipt of final penalty installment.
9/22/98	Rosebar Tire Shredding Center; Dan L. Schwitters	Admin. Order/Penalty	SW	Tack	Hearing set for 7/2/99. Settlement pending.
9/29/98	Randy Foth d/b/a Foth Lumber Co.	Admin. Order/Penalty	AQ	Kaizer	Settled. Partial penalty payment received.
10/03/98	Ag Processing, Inc. (Emmetsburg)	Permit Exemption Denial	AQ	Preziosi	Settlement close.
10/06/98	M & W Pallett Co.	Admin. Order	SW	Tack	Negotiating before filing. Clean-up in progress.
10/08/98	West Liberty, City of	Admin.	WW	Hansen	Informal procedures requested.
10/09/98	Elm's Corporation of Linn County	Admin. Order/Penalty	UT	Wornson	Compliance initiated.
10/13/98	The Legacy Group, L.C.; Easter Lakes Estate Site	Admin. Order/Penalty	WW	Murphy	New violation letter sent 4/14/99.
11/03/98	Dakota Mobile Home Park; Capitol Oil Co.	Admin. Order	WS	Murphy	Sent to DIA 4/23/99.
11/05/98	Jim Arenson Chevrolet	Permit Revisions	WS	Hansen	Compliance initiated. WS installing disinfection equipment.
11/06/98	Barr Farm Venture and Mel Foster Co. Properties	Admin. Order/Penalty	WW	Murphy	Letter sent 2/26/99. Will monitor compliance this spring.
11/06/98	Rustic Oaks Homeowners Assoc.	Admin. Order	WS	Murphy	Settlement offer 4/23/99.
11/13/98	Caseys General Stores, Inc.	Admin.	UT	Wornson	Compliance initiated.
11/19/98	Jacobs Energy Corporation	Permit Denial	AQ	Preziosi	Negotiating before filing.
11/25/98	The Heights	Admin. Order/Penalty	WS	Hansen	Settlement offer accepted. Penalty paid. Closed.
11/30/98	Robert Diehl	Admin.	WW/WS	Murphy	Construction permit application received.
12/01/98	Underwood Motel	Admin.	WS	Hansen	Sanitary survey completed by F.O. 4.
12/01/98	Dyersville Golf & Country Club	Admin. Order/Penalty	WS	Murphy	Progress report submitted 3/16/99. Certified operator retained. Meeting to be held 5/99.
12/02/98	Ag Processing (Eagle Grove)	Permit Conditions	AQ	Kaizer	Settled.
12/07/98	Krauss Serene Wooded Acres	Admin. Order/Penalty	WS	Murphy	Letter sent 2/23/99. Sanitary survey to be conducted.
12/08/98	Dennis Tasler; Tasler Inc.	Admin.	AQ	Kaizer	Penalty payment received 4/28/99. Settled.
12/16/98	Richard Swailes	Permit Denial	FP	Clark	Negotiating before filing.
12/24/98	Keokuk Steel Castings Co., Inc.	Admin.	AQ	Preziosi	Negotiating before filing.
12/28/98	Jim Comes; Gary Comes	Permit Issuance	FP	Clark	Proposed decision 4/16/99.
12/30/98	Farmland Industries, Eagle Grove	Permit Exemption	AQ	Preziosi	Negotiating before filing.
1/04/99	Duane Hanson d/b/a Cedar Valley Tire Recycling	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
1/06/99	Farmers Cooperative Society	Admin.	AFO	Clark	Penalty received 2/10/99. Settled.
1/13/99	Bernadette Ryan	Admin.	AFO	Clark	Negotiating before filing.
1/20/99	Lonnie King	Admin.	AQ/SW	Tack	Negotiating before filing.
1/25/99	Supervisor's Club, Inc.	Admin. Order	WS	Murphy	Amended Order issued. Closed.
1/29/99	Wareco Services, Inc.	Admin. Order/Penalty	UT	Wornson	Compliance nearly complete. Negotiating penalty.
2/01/99	Con Agra Frozen Foods	Tax Certification	AQ	Preziosi	Negotiating before filing.
2/03/99	Super 20 Mobile Home Park	Admin.	WS	Tack	Negotiating before filing.

2/05/99	West Union Cooperative Co.	Admin.	WW	Murphy	Negotiating before filing. Meeting held
2/10/99	Bawden Printing	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2/23/99	Dennis Sharkey, Sr.	Admin.	AQ/SW	Tack	Negotiating before filing.
3/01/99	Williamsburg Manufacturing	Admin.	AQ	Preziosi	New case.
3/01/99	Lund Manufacturing	Admin.	AQ	Preziosi	Settled. Awaiting penalty payment.
3/04/99	Dayton, City of	Admin.	WW	Murphy	Negotiating before filing.
3/04/99	Paris & Sons; Thomas Paris	Admin.	WW/HC	Wornson	Negotiating before filing.
3/08/99	Peter Bockenstedt	Admin.	AFO	Clark	Negotiating before filing.
3/08/99	Augustus & Betty Lartius d/b/a Country Terrace Mobile Home	Admin. Order/Penalty	WS	Hansen	Hearing set for 6/23/99.
3/08/99	Augustus & Betty Lartius d/b/a Country Terrace Mobile Home	Admin. Order/Penalty	WW	Hansen	Hearing set for 6/23/99.
3/12/99	Cargill, Inc.	Permit Modifications (23	AQ	Preziosi	Appeals untimely. Closed.
3/16/99	Des Moines Independent School District – North High School	Site Registry	HC	Tack	Negotiating before filing.
3/18/99	Ag Processing, Inc. (Sergeant Bluff)	Title V Operation Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/22/99	Tiffin, City of	Admin. Order/Penalty	WW	Murphy	Negotiating before filing. Letter sent 3/30/99.
3/23/99	Matthew M. Daly	Admin.	AFO	Clark	Negotiating before filing.
3/23/99	Daniel J. Gotto	Admin.	AFO	Clark	Negotiating before filing.
3/31/99	Woolstock, City of	Admin.	WW	Hansen	Compliance initiated by City.
3/31/99	Westside Park for Mobile Homes	Admin.	WW	Hansen	Hearing set for 6/1/99.
4/02/99	Des Moines, City of	Admin.	WW	Murphy	New case.
4/04/99	Dean Larsen (Martin Marietta)	Permit Issuance	WR	Clark	New case. Sent to DIA.
4/08/99	Fayette County Sanitary Landfill	Admin.	SW	Tack	New case.
4/09/99	Ivan Stoltzfus	Admin.	WW	Tack	New case.
4/12/99	Sioux Co. Board of Supervisors (Orange City Dairy)	Construction Permit Issuance	AFO	Clark	New case.
4/15/99	Robert Simon	Admin.	AQ/SW	Tack	New case.
4/15/99	Shine Bros. Corp.	SWA Denial	SW	Tack	New case.
4/15/99	Shenandoah, City of	Admin.	WW	Murphy	New case.
4/16/99	Cargill (Sioux City)	Title V Operation	AQ	Preziosi	New case.
4/26/99	Gerald and Judith Vens	Admin.	FP	Clark	New case.
4/28/99	Mid-County Water, Inc.	Admin.	WS	Hansen	New case.

Mr. Valde reviewed the various reports.

Brief discussion followed regarding several cases on the variance report.

INFORMATIONAL ONLY

FINAL RULE--CHAPTERS 20, 21, 22, 23 AND 25, NESHAPS CORRECTIONS AND CLARIFICATIONS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the proposed amendments to Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice," Chapter 21, "Compliance," Chapter 22,

“Controlling Pollution,” Chapter 23, “Emission Standards for Contaminants,” and Chapter 25, “Measurement of Emissions” 567 Iowa Administrative Code.

The purpose of this rulemaking is to update adoption by reference citations. Most updates do not add any additional requirements upon the state or industry. The rule making also adopts by reference three national emission standards for hazardous air pollutants (NESHAPs) that were promulgated federally for flexible polyurethane foam production, pharmaceutical production, and pulp and paper production (non-combustion). It also creates an exemption from construction permitting for certain pyrolysis cleaning furnaces; and allows for construction to be initiated prior to issuance of a construction permit, in certain cases. The rule making also removes December 9, 1999, as the deadline for deferment to obtain a Title V, voluntary, or small source operating permit for certain source categories; and defaults the emission standard for particulate matter to 0.1 grain per dry standard cubic foot of exhaust gas. Other items are amendments to clarify intent of the rule or to amend language to conform with revisions made to federal regulations.

The Notice of Intended Action was published as IAB Vol. XXI No. 19 (3/10/99) p. 1755, ARC 8744A. A public hearing was held on April 9, 1999, at the Air Quality Bureau in Urbandale. Written comments were provided by eleven organizations. The following three items were removed as a result of the public comment period:

The amendment to 567 IAC 23.2(3)"g" has been removed from this rule making. The Department received a number of requests to expand the definition of "bona fide training fire" to include non-structural training fires. When investigating this possibility, the Department realized the National Fire Protection Association standard cited in the definition was no longer valid. The Department removed this item from the rule making to provide additional time to thoroughly review the updated standard.

The amendment to 567 IAC 23.3(3) proposing to add an enforceable limit for total sulfur content has been removed. The Department has removed this item to re-evaluate the proposed limitation.

Item 9 will no longer delete language regarding the submittal of final plans and specifications by or under the supervision of a professional engineer. The Department is considering alternative ways to address this issue based on internal discussion and comments received during the public comment period.

Other minor changes have been made to clarify intent or improve readability

(A copy of the rule is on file in the department's Records Center)

Mr. Valde gave a detailed explanation of the rules and changes made due to comments received. He noted that Item 41, on page 18, should be withdrawn and the remaining items renumbered as Items 41 through 44.

Motion was made by Rozanne King to approve Final Rule--Chapter 105, Organic Materials Composting Facilities with the noted changes.. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

1999 TITLE V FEE - AIR QUALITY BUREAU

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is asked to approve the attached Title V Operating Permits section budget establishing the annual Title V fee at \$23.10 per ton of air pollution emitted from Title V Operating Permit subject sources. This represents a \$2 per ton increase in the fee. Cost centers 7230, 7421, and 1556 are funded from the fee. This budget reflects changes from the draft budget presented to the Commission in March in the following areas: Reduction in actual tons of air emissions reported by facilities for CY 1998, Department of Management salary increases, moving one position from the base Air Quality Program (cost center 7220) to the Air Title V program (cost center 7230), and a reduction in estimated carry-forward. One position is being moved from the base Air Quality Program area to Title V activities to reflect the increased compliance assistance activities that have been generated by the issuance of Title V Operating Permits. The Bureau continues to strive to more accurately budget to meet program goals, and this is reflected in the reduced carry-forward.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
	<u>Air Title V - I&E (1556)</u>			
1	Personnel	46,317	47,707	Increase based on DOM's SFY 1999 Schedule 10 report. 3% Increase estimation. 1 FTE.
2	Travel in state	355	355	
3	Travel out of state	1,331	1,331	
4	Indirect charges	5,141	5,295	Reduced indirect, from 13% of personnel to 11.1%.
	Total	53,144	54,688	
	<u>Air Quality Program (7220)</u>			
5	Personnel	1,176,172	1,141,551	Increase based on DOM's SFY 1999 Schedule 10 report. 3% increase estimation. Was at 23.5 FTE, moved 1 FTE to 7230 now at 22.5 FTE.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
6	Travel in state	8,343	7,988	Decrease due to FTE shift.
7	Travel out of state	38,000	36,669	Increased over SFY 1999 to support training for new staff. Decrease from March due to FTE shift.
8	Office supplies	24,816	23,760	Decrease due to FTE shift.
9	Facility maintenance	500	500	
10	Equipment maintenance	3,180	3,180	
11	Other supplies	1,035	990	Decrease due to FTE shift.
12	Printing and binding	5,000	5,000	
13	Uniforms	705	675	Decrease due to FTE shift.
14	Communications	33,279	31,832	7220 Proportion: Phone: \$2,675/mo. Service and Maint.: US West OC-3 circuit (\$3,380/mo), T-1 circuit for Internet (\$333/mo), T-1 port and pvc for Internet (\$364/mo). Decrease due to FTE shift.
15	Ingram Rental	73,622	70,434	Decrease due to FTE shift.
16	Utilities	6,000	6,000	Anticipated increase for operation of new monitors.
17	Professional Services (Total)	571,533	585,407	
17a	Professional services - other	[0]	[0]	Contract no longer exists.
17b	Linn County Local Program Agreement	[90,875]	[90,875]	Covers Qtrs 2 - 4. Qtr 1 direct from EPA. Amount originally taken off top of grant.
17c	Polk County Local Program Agreement	[117,852]	[117,852]	Covers Qtrs 2 - 4. Qtr 1 direct from EPA. Amount originally taken off top of grant.
17d	NOWCC	[41,000]	[41,000]	Originally taken off top of grant allocation for SEEP.
17e	UNI Small Business Assist. Agreement	[0]	[0]	112(r) Workshops - special grant
17e	UHL Agreement	[321,806]	[335,680]	Shift to 7230 because of the reduction in general fund request. Increase over March, replaced some funds shifted to 7230.
18	Outside services	15,000	15,000	Reduced, more reflective of past actuals.
19	Advertisement in publications	450	450	
20	Reimbursement to other agencies	6,500	6,500	
21	ITS Reimbursement	3,000	3,000	
22	Equipment	0	0	
23	Indirect charges	130,555	126,712	Reduced indirect, from 13% of personnel to 11.1%.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
	Total	2,097,690	2,065,648	
	Air Title V Program (7230)			
24	Personnel	1,424,706	1,537,353	Increase based on DOM's SFY 1999 Schedule 10 report. 3% increase estimation. 31.5 FTE increased by 1 FTE from 7220, now at 32.5 FTE.
25	Travel in state	7,000	7,355	Increase due to FTE shift.
26	State Vehicle Operation	6,000	6,000	Increase for additional vehicle.
27	Vehicle Depreciation	12,960	12,960	Increase for additional vehicle.
28	Travel out of state	66,927	68,258	This also includes TAT's computer training. Increase over March due to FTE shift.
29	Office supplies	26,000	26,000	
30	Facility maintenance supplies	500	500	
31	Equipment maintenance	68,189	68,189	Supports maintenance on copiers, faxes, printers, GPS units, data storage system, and other office equipment.
31a	Office Equipment maintenance	[0]	[0]	Combined with office equip. maint.
31b	Computer Equipment maintenance	[0]	[0]	Combined with computer equip. maint.
32	Other supplies	5,000	5,045	Increase due to FTE shift.
33	Printing and binding	12,000	12,000	
34	Uniforms	3,000	3,030	Increase due to FTE shift.
35	Communications	57,948	59,395	7230 Proportion: Phone: \$2,675/mo. Service and Maint.: US West OC-3 circuit (\$3,380/mo), T-1 circuit for Internet (\$333/mo), T-1 port and pvc for Internet (\$364/mo). All 7230: ATM Maint. (\$850/mo). Increase from March due to FTE shift.
36	Ingram Rental	107,452	110,640	Increase over March due to FTE shift.
37	Utilities	4,060	4,060	
38	Professional Services	3,021,203	3,007,329	
38a	Construction Permit Review Contract	[300,000]	[300,000]	
38b	Voluntary Op. Permit Review Contract	[200,000]	[200,000]	
38c	Computer Consultant Services	[220,000]	[220,000]	Includes SPARS enhancements for compliance, Microsoft, Novell, and Modeling.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
38d	Modeling Training	[0]	[0]	
38e	SPARS Client Training	[96,000]	[96,000]	Based on 400 people @ \$240/person.
38f	IowAccess Project	[0]	[0]	
38g	Linn County local program agreement	[376,000]	[376,000]	Increase to support increasing ambient air monitoring requirements.
38h	Polk County local program agreement	[441,313]	[441,313]	Increase to support increasing ambient air monitoring requirements.
38i	Environmental Liaison	[80,851]	[80,851]	Based on SFY 2000 budget provided by IDDED.
38j	UNI Small Business Assistance agreement	[364,350]	[364,350]	Increase due to 5% salary adjustments and operating costs. Does not include any special projects.
38k	UHL Agreement	[556,389]	[542,515]	Stack Testing increased from 3 to 4 FTE. Increase to support increasing ambient air monitoring requirements. Reduced from March to shift some funds back to 7220.
38l	Earth Month Projects	[25,000]	[25,000]	Air Quality Contribution to support a departmental earth month education effort.
38m	EPA Airnow Project	[40,000]	[40,000]	Contractor to get data to EPA's Ozone mapping server, this will make the data available in real time on the internet.
38n	NOWCC	[80,000]	[80,000]	Covers the remaining \$116,000 in personnel cost, plus \$5K variable for misc. expenses.
38o	KDSM - Fox 17 (Planet Patrol)	[3,375]	[3,375]	Based on SFY 1999 contract amount.
38p	E-Resources (WHO EarthCenter 13)	[2,925]	[2,925]	Was not budgeted for in SFY 1999.
38q	Special Training Courses	[0]	[0]	
38r	Interagency Agreement w/ IPI	[100,000]	[100,000]	
38s	Emission Inventory Development	[135,000]	[135,000]	Contract employees to assist with development of a VOC, NOx, PM 2.5, and toxics inventory. Estimated 3 FTE @ 45K each.
38t	Other	[0]	[0]	
39	Outside services	300,012	300,012	
39a	Misc.	[12,000]	[12,000]	
39b	Computer maintenance (Software)	[218,626]	[218,626]	Includes Wang Maintenance Contract for OPEN/Image and Workflow, Unisys - Sun maintenance, Oracle service agreement, SPARS maint. and AVS modelling maint.
38c	Computer Training	[15,000]	[15,000]	Moved from Professional Services.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
39d	Temporary Services	[50,000]	[50,000]	2 FTE @ \$12.50/hr - 40 hrs/wk -50 wks/yr
39e	Priority Express	[4,386]	[4,386]	
40	Advertisement in publications	6,100	6,100	
41	Reimbursement to other agencies	31,000	31,000	
42	ITS Reimbursement	1,500	1,500	
43	Equipment	408,979	408,979	
43a	Air monitoring equipment	[150,000]	[150,000]	The bureau asking in SFY 2000 was the same as SFY 1999 budget. The large amount budgeted in SFY 1999 was to use portion of the high carry forward and satisfy immediate needs.
43b	Computer hardware purchase	[211,979]	[211,979]	Includes workstation, monitor, and printer replacement, 4 NT modeling workstations, 1 SUN modelling workstation, modelling data backup, modelling storage array, and HP server upgrade.
43c	Computer software purchase	[30,000]	[30,000]	Reduction due to anticipated expenditures.
43d	Vehicle	[0]	[0]	Vehicles have been paid for out of the Department's depreciation fund.
43e	Office equipment & furniture	[17,000]	[17,000]	Purchase of a new copier.
44	Equipment Noninv.	30,000	30,000	Misc. office and software requirements, and equipment for items under \$500.
45	Other expenses	13,000	13,000	Reduced based on actuals.
46	Indirect charges	158,142	170,646	Reduced indirect, from 13% of personnel to 11.1%.
	Total	5,771,678	5,889,350	
	PM 2.5 Monitoring (7240)			
47	Professional Services	328,528	328,528	
47a	Professional services - other	[10,400]	[10,400]	\$20/filter/site @five sites twice a week.
47b	UHL Agreement	[243,128]	[243,128]	UHL Budget estimates.
47c	Polk County Local Program Agreement	[40,000]	[40,000]	Polk Budget estimates.
47d	Linn County Local Program Agreement	[35,000]	[35,000]	Linn Budget estimates.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
48	Equipment	0	0	No additional equipment purchases.
	Total	328,528	328,528	
	<u>Air Quality Field Program (7419)</u>			
49	Personnel	163,726	163,726	Based on SFY 1999 Sch 10. Doesn't factor in cost of living and merit increases. 3 FTE.
50	Travel in state	1,863	1,863	
51	State Vehicle Operation	0	0	
52	Vehicle Depreciation	0	0	
53	Travel out of state	750	750	
54	Office Supplies	50	50	
55	Facility Maintenance	0	0	
56	Equipment Maintenance	0	0	
57	Other supplies	0	0	
58	Printing and binding	50	50	
59	Uniforms	500	500	
60	Communications	6,500	6,500	
61	Rentals	0	0	
62	Utilities	0	0	
63	Professional Services	0	0	
64	Outside services	0	0	
65	Reimbursement to other agencies	650	650	
66	ITS Reimbursement	4,435	4,435	
67	Equipment	8,870	8,870	
68	Equipment Noninv.	0	0	
69	Other expense	0	0	
70	Indirect charges	18,174	18,174	Reduced indirect, from 13% of personnel to 11.1%.
	Total	205,568	205,568	
	<u>Air Title V Field Program (7421)</u>			
71	Personnel	455,721	455,721	Based on SFY 1999 Sch 10. Doesn't factor in cost of living and merit increases. 8.5 FTE.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
72	Travel in state	5,279	5,279	
73	State Vehicle Operation	4,500	4,500	
74	Vehicle Depreciation	9,000	9,000	
75	Travel out of state	2,125	2,125	
76	Office Supplies	850	850	
77	Facility Maintenance	0	0	
78	Equipment Maintenance	0	0	
79	Other supplies	400	400	
80	Printing and binding	50	50	
81	Uniforms	1,100	1,100	
82	Communications	18,500	18,500	
83	Rentals	0	0	
84	Utilities	0	0	
85	Professional Services	0	0	
86	Outside services	500	500	
87	Reimbursement to other agencies	1,850	1,850	
88	ITS Reimbursement	12,565	12,565	
89	Equipment	25,130	25,130	
90	Equipment Noninv.	500	500	
91	Other expenses	0	0	
92	Indirect charges	50,585	50,585	Reduced indirect, from 13% of personnel to 11.1%.
	Total	588,655	588,655	
	SUMMARY			
	<u>Air Quality</u>			
93	Total Air Quality Program Revenue	2,303,258	2,271,216	
93a	General Fund	[1,350,000]	[1,350,000]	Amount allocated by legislature is \$150,000 lower than requested.
93b	Hazardous Waste Remediation Fund	[0]	[0]	
93c	Title V fund balance forward	[0]	[0]	
93d	Federal 105 air grant	[953,258]	[921,216]	Includes what was taken off the top for Polk, Linn and SEE positions. May EPC includes 15K reduction of grant for CenSARA. The new amount is estimate provided in U.S. EPA - Region VII letter, dated April 22, 1999. This represents a 5% reduction

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
				of 105 federal grant in FFY 2000.
94	Total Air Quality Program Expenditures	2,303,258	2,271,216	
94a	Air Quality Program (7220) Total	[2,097,690]	[2,065,648]	
94b	Air Quality Field Program (7419) Total	[205,568]	[205,568]	
95	Air Quality (Revenues - Expenditures)	0	0	
	<u>Air Title V</u>			
96	Total Air Title V Program Revenue	6,473,534	6,554,619	
96a	Balance forward	[1,231,813]	[932,587]	No longer includes Air Quality Balance Forward.
96b	Title V fees	[5,041,722]	[5,422,032]	234,720 tons were reported for CY 1998, estimated at \$21.10/ton. Estimation in March assumed a 4% increase over CY 1997 tons at 229,754 tons. Represents an increase to \$23.10/ton.
96c	Fund interest	[200,000]	[200,000]	
97	Total Air Title V Program Expenditures	6,413,476	6,532,693	
97a	Air Title V - I&E (1556) Total	[53,144]	[54,688]	
97b	Air Title V Program (7230) Total	[5,771,678]	[5,889,350]	
97c	Air Title V Field Program (7421) Total	[588,655]	[588,655]	
98	Air Title V (Revenues - Expenditures)	60,058	21,926	
	<u>PM2.5 Monitoring</u>			
99	Total PM2.5 Monitoring Revenue	332,622	477,996	
99a	Balance Forward	[147,942]	[147,942]	
99b	Federal 103 air grant	[184,680]	[330,054]	New estimate provided in U.S. EPA - Region VII letter, dated April 22, 1999.
100	Total PM2.5 Monitoring Expenditures	328,528	328,528	
100a	PM 2.5 Monitoring (7240) Total	[328,528]	[328,528]	
101	PM2.5 Monitoring (Revenues - Expenditures)	4,094	149,468	This additional money is obligated. Its distribution has yet to be determined.

Item	Cost Center & Expenditure Category	SFY 2000 March EPC	SFY 2000 May EPC	Notes for SFY 2000 Budget
102	Total Air Quality Bureau Budget	9,045,262	9,132,437	

Mr. Valde reviewed the Air Quality budget explaining changes made from the draft budget presented in March. He related that the proposed fee of \$23.10 per ton of air emissions is an increase of \$2.00 per ton. Mr. Valde explained that there were fewer tons of air pollutants that are subject to the fee than previously calculated. The numbers had gone down from what was anticipated and there were fewer tons over which to spread the fee.

Rozanne King asked if the efforts of companies that reduced emissions are going to get rewarded by higher fees.

Catherine Fitzsimmons, Air Quality Bureau, explained that the fee calculations are submitted by the companies by the end of the month of March, and staff had anticipated the number of tons would continue to increase at the same rate, which was about 4% per year. She related that the numbers ended up lower than anticipated. She added that the number of tons will level off because a number of the companies have been working since 1991 to get rid of a lot of the toxics and to make their reductions. Ms. Fitzsimmons also noted that there has been a large carry-forward every year to budget more closely to what can actually be accomplished during the year, and that accounts for \$1.00 of the increase. Some other factors are that staff anticipated that a few more companies would be coming on line in the Title V Program and it did not happen. She added that a number of sources have not paid their fair share due to inaccurate emissions calculations, and in the future if new reports are received on those tons the fee could come back down. She related that the department will be working on enforcement by investigating companies whose numbers do not sound correct in comparison with similar companies.

Director Johnson asked if Iowa's fees rank low in comparison with other states.

Ms. Fitzsimmons replied that the increase places Iowa closer to the average but still below it, particularly in the area of the surrounding states. She explained differences in some of the other states programs in relation to the fees, inspections and other items.

Mr. Valde pointed out that the Clean Air Act requires the department to charge enough in Title V Fees to cover the Title V Program.

Discussion followed regarding caps on pollutants and matching funds used in the beginning of the program.

Ms. Fitzsimmons stated that staff met with the Client Contact Group last Thursday and heard no adverse comments to the proposed fee.

Motion was made by Rita Venner to approve the 1999 Title V Fee as presented. Seconded by Terrance Townsend.

Elizabeth Christiansen stated that she will abstain from voting due to a conflict of interest, as one or two line items constitute a payment for services to her employer.

Motion carried with Elizabeth Christiansen abstaining.

FEE APPROVED AS PRESENTED

FINANCIAL STATUS REPORT

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

Attached is the division operations budget status report as of 4/30/99. Except for the Parks division, all are under budget as of 4/30/99.

The Parks actual as of 4/30/99 includes \$238,000 in SPOC retirement costs which were not included in the division's appropriation. A \$200,000 supplemental was passed by the General Assembly to cover these costs. We expect at least 3 more retirements between now and fiscal year close bringing total retirement costs to around \$450,000.

At the meeting we would like to discuss the content and frequency of future Financial Status Reports. Changing from a monthly to a quarterly report seems desirable.

Iowa Department of Natural Resources Monthly Operations Budget Status Report 4/30/99

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
1. Director's Office / Information and Education	1,903,785	2,224,453	1,738,615	1,619,737	118,878
2. Administrative Services Division	5,590,432	5,971,145	4,770,207	4,343,881	426,326
3. Parks, Recreation and Preserves Division	9,591,489	9,774,283	7,494,806	7,646,483	(151,677)
4. Forests and Forestry Division	2,861,695	3,101,789	2,470,207	2,461,168	9,039
5. Energy and Geological Resources Division	3,797,839	5,099,220	3,964,776	2,917,873	1,046,903
6. Environmental Protection Division	17,646,726	21,562,618	17,073,316	15,073,928	1,999,388
7. Fish and Wildlife Division	20,508,662	21,380,974	16,978,429	16,822,446	155,983
8. Waste Management Assistance Division	1,524,107	1,599,444	1,247,224	977,496	269,728
	63,424,735	70,713,926	55,737,578	51,863,012	3,874,566

1. Directors Office / Information and Education

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Director's Office	324,358	286,970	225,462	305,185	(79,723)
Permit Compliance Team	150,082	180,494	143,219	121,186	22,033
REAP Program	43,583	40,000	30,224	9,238	20,986
Policy Coordination	24,350	99,676	78,874	26,790	52,084
Total Director's Office	542,373	607,140	477,779	462,399	15,380

Information & Education Bureau

I&E General Operations	468,958	495,622	390,014	407,644	(17,630)
Conservationist Magazine	314,335	389,372	299,712	264,344	35,368
Education Center Programs	177,629	202,238	158,901	150,663	8,238
Aquatic Education	274,745	292,685	227,710	160,179	67,531
Fish and Wildlife Information	23,300	13,111	10,398	12,037	(1,639)
Energy Information	44,341	73,684	57,731	45,657	12,074
Groundwater Education	3,800	15,000	12,990	4,443	8,547
Waste Mngt Information	0	37,668	29,874	18,747	11,127
319 Planning Information	12,755	41,930	33,176	50,640	(17,464)
Air Quality Title 5 Information	31,898	48,003	34,326	37,697	(3,371)
Education Workshops	4,442	8,000	6,004	4,670	1,334
Outdoor Learning	5,143	0	0	617	(617)
Hooked on Fishing	66	0	0	0	0
Total I & E Bureau	1,361,412	1,617,313	1,260,836	1,157,338	103,498
Total Director's Office/Info & Ed	1,903,785	2,224,453	1,738,615	1,619,737	118,878

2. Administrative Services Division

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
State Central Services & Indirect	96,865	100,943	100,926	103,074	(2,148)
Budget and Finance Bureau	1,150,742	1,213,845	943,018	869,568	73,450
Administrative Services Bureau	1,395,968	1,548,590	1,218,959	1,052,070	166,889
Central Data Processing Bureau	874,571	824,278	657,087	660,521	(3,434)
Licensing Bureau	379,463	478,004	412,137	311,103	101,034
Construction Services Bureau	1,013,715	1,073,769	853,033	826,220	26,813
CSB-Park Road Design	87,484	59,464	47,161	63,271	(16,110)
Land Acquisition & Mngt Bureau	486,363	517,255	410,190	368,695	41,495
Division Mngt & Misc.	105,261	118,119	93,719	85,481	8,238
Special Training & Technology	0	36,878	33,978	3,878	30,100
Total Administrative Services	5,590,432	5,971,145	4,770,207	4,343,881	426,326

3. Parks, Recreation and Preserves Division

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Parks Field Management	266,795	289,297	221,843	233,993	(12,150)
NW District Parks Operations	1,996,471	2,035,574	1,513,064	1,536,882	(23,818)
NE District Parks Operations	1,871,776	1,905,260	1,426,380	1,413,914	12,466
SE District Parks Operations	2,211,805	2,267,503	1,701,600	1,716,283	(14,683)
SW District Parks Operations	2,015,040	2,056,581	1,535,838	1,608,010	(72,172)
Parks & Preserves Programs & Mngt	703,158	717,020	561,598	569,969	(8,371)
Endangered Species Grants	6,000	32,000	24,000	43,079	(19,079)
Preserves Grants	8,000	16,000	12,000	16,000	(4,000)
DED Parks Grants	35,868	30,000	23,670	18,308	5,362
DED Trails	4,272	38,770	31,687	36,694	(5,007)
Trail Development Grants	35,580	3,282	2,603	4,469	(1,866)
Historical Grant	0	0	0	1,734	(1,734)
Total Development Grants	75,720	72,052	57,960	59,471	(1,511)
Cedar Rock	146,968	140,166	103,450	92,883	10,567
Division Management & Misc.	136,440	129,113	102,866	109,600	(6,734)
Special IT Project	0	38,717	34,207	0	34,207
SRF Loan Repayment	7,928	75,000	0	6,574	(6,574)
Ranger SPOC Retirement Benefit	145,388	0	200,000	238,091	(38,091)
Total Parks Division	9,591,489	9,774,283	7,494,806	7,646,483	(151,677)

4. Forests and Forestry Division

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Forest Nursery Production	562,259	660,769	537,782	589,375	(51,593)
Forest Nursery Services	94,367	102,752	81,311	81,198	113
Shimek Forest	217,374	239,187	186,483	182,956	3,527
Stephens Forest	179,317	180,692	140,952	142,953	(2,001)
Yellow River Forest	235,513	255,706	199,742	190,542	9,200
Loess Hills Forest	171,520	170,027	131,938	145,183	(13,245)
Nursery & Forests Management	144,754	160,823	128,927	109,044	19,883
Farm Forestry Services	765,351	835,555	663,697	618,975	44,722
Trees For Kids Video	11,642	0	7,431	7,431	0
Trees For Kids Project	34,974	30,000	22,740	16,622	6,118
Forestry Services Management	331,063	311,136	246,487	251,378	(4,891)
Division Management	113,561	129,700	104,711	125,511	(20,800)
Special IT Project	0	25,442	18,007	0	18,007
Total Forests & Forestry Division	2,861,695	3,101,789	2,470,207	2,461,168	9,039

5. Energy and Geological Resources Division

Budget Unit	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Energy Bureau					
Biomass	79,721	81,620	65,154	27,406	37,748
SIFIC A	49,169	60,394	47,716	35,002	12,714
SIFIC B	66,309	54,088	42,836	26,850	15,986
SIFIC Innovation Project	73,460	99,200	78,633	4,778	73,855
State Energy Program	537,322	596,958	473,425	467,460	5,965
SEP Industrial Technology	0	80,000	60,000	2,276	57,724
SEP Bldg Code #2	0	48,545	36,925	8,592	28,333
SEP FEMP 2	0	264,523	203,843	79,200	124,643
Soya Diesel	22,456	80,000	48,000	0	48,000
Building Code, Energy	3,000	8,000	6,000	5,538	462
Heating Oil & Propane Program	14,426	23,820	18,394	10,833	7,561
Energy Advancement	44,554	34,618	27,643	41,546	(13,903)
Greenhouse Gas	0	23,402	17,552	7,530	10,022
Greenhouse Gas #3	0	75,000	56,250	0	56,250
Federal Energy Bank	69,339	4,354	3,266	0	3,266
Energy/Education Study	28,363	19,389	14,542	19,054	(4,512)
Ethanol Seminar, Council of Gov's	21,877	50,000	37,500	0	37,500
Oil Overcharge - 3 Admin	198,502	229,316	180,910	115,587	65,323
EPA Risk Assessment Project	25,053	7,421	5,566	13,112	(7,546)
Rebuild Iowa	141,632	87,089	66,374	71,278	(4,904)
Rebuilding Iowa #2	0	98,426	74,619	20,572	54,047
SEP ENG Code	23,438	168,035	126,761	105,613	21,148
Federal Energy Mngt Program	31,194	59,996	44,997	4,947	40,050
Commercial Wind Energy	38,003	172,409	129,307	81,263	48,044
Wind Assessment	1,343	0	0	0	0
SEP Climate Wise	23,000	27,000	20,250	0	20,250
Ethanol Market Research	53,280	0	0	0	0
Total Energy Bureau	1,545,441	2,453,603	1,886,461	1,148,437	738,024
Geological Survey Bureau					
Camp Dodge GIS Support	0	21,445	16,987	7,421	9,566
Camp Dodge Wetland	3,297	4,420	3,350	1,096	2,254
Camp Dodge Mapping	18,044	36,290	28,069	8,739	19,330
Floyd Cty ADW Project	12,663	16,699	12,991	11,712	1,279
Geology/Mineral Resources	369,792	426,707	337,603	316,425	21,178
Digital Mapping	100,132	19,386	14,870	16,198	(1,328)
Digital Survey	49,415	0	0	0	0
Wright Cty Monitoring	0	27,926	21,539	1,628	19,911
Hydrology/Environment	465,206	456,251	361,933	319,756	42,177
Livestock Regulation	0	76,001	60,276	59,355	921
State Mapping	31,342	149,367	115,913	125,146	(9,233)
SORC Water Reporting	0	0	0	67,664	(67,664)
Pesticide Mngt Project	28,442	35,756	28,570	23,189	5,381
Geology Information	232,408	246,497	196,366	107,487	88,879
Wellhead Protection	0	13,000	10,310	5,374	4,936
Big Springs Project	29,179	38,879	29,684	44,239	(14,555)
Geographical Info System	134,610	190,375	152,246	150,198	2,048
319 Planning - 91	24,092	21,164	16,391	4,984	11,407
319 Planning - 93	124,557	184,575	140,920	84,176	56,744
Walnut Creek Restoration	109,055	118,079	89,230	55,328	33,902
Wellhead Protection, EPA	52,139	59,934	46,091	30,319	15,772
USGS Coop. Agreement	155,492	156,154	117,116	75,610	41,506
Geology Bureau Mngt	216,821	234,159	187,671	172,201	15,470
Total Geology Bureau	2,156,686	2,533,064	1,988,127	1,688,245	299,882
Special Technology Initiative	0	10,826	9,826	0	9,826
Energy & Geological Div Mngt	95,712	101,727	80,362	81,191	(829)
Total Energy & Geological Resources Division	3,797,839	5,099,220	3,964,776	2,917,873	1,046,903

6. Environmental Protection Division

Budget Units	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Water Quality Bureau					
Wastewater (NPDES) Mngt	698,887	812,628	636,811	509,205	127,606
Storm Water Permitting	196,068	217,508	172,159	159,389	12,770
Livestock Permits (C. Office)	334,331	315,029	250,364	293,017	(42,653)
State Revolving Grant Mngt	253,525	389,594	308,949	245,712	63,237
GW County Grants Mngt	60,555	53,853	42,350	46,476	(4,126)
Water Monitoring Workshop	1,812	0	0	0	0
Streamflow Statistics Report	12,745	13,470	10,124	13,195	(3,071)
Data Design	0	42,105	31,579	0	31,579
GIS Locational Data	3,135	15,250	12,095	13,475	(1,380)
604B Water Planning	177,522	186,227	147,412	156,678	(9,266)
Floodplain Reg & Mngt(SW)	0	101,800	81,142	22,052	59,090
Floodplain Reg & Mngt(GF)	358,733	324,737	258,329	262,070	(3,741)
319 Water Planning-91	25,109	0	0	0	0

May 1999

Environmental Protection Commission Minutes

319 Water Planning-92	94,707	50,000	37,500	69,663	(32,163)
319 Water Planning-93	115,336	185,000	138,750	30,136	108,614
319 Water Planning-94	301,466	200,000	150,000	74,373	75,627
319 Water Planning-95	417,223	200,000	150,000	147,324	2,676
319 Water Planning-96	483,501	538,253	418,695	312,182	106,513
319 Water Planning-97	180,379	205,151	153,904	350,752	(196,848)
319 Water Planning-98	0	100,000	75,000	138,768	(63,768)
Total 319 Water Planning	1,617,721	1,478,404	1,123,850	1,123,198	652
Water Supply Regulation	967,609	1,184,899	932,910	906,163	26,747
Water Rights Administration	137,682	147,844	118,051	102,766	15,285
Operator Certification Support	42,109	104,540	79,052	61,776	17,276
SRF Drinking Water Source	0	350,556	271,376	11,696	259,680
SRF Drinking Water Admin	0	78,776	62,113	15,967	46,146
SRF Drinking Water Tech	0	100,650	75,493	6,775	68,718
Well Contractor Permits	38,063	42,853	33,526	32,731	795
Public Wtr Supply Trng	0	10,000	7,500	10,000	(2,500)
Water Supply - Flood	12,000	0	0	0	0
Lab Certification	156,659	102,500	76,902	101,275	(24,373)
Stream Watershed Assessment	27,895	820	639	858	(219)
Total Water Quality	5,097,051	6,074,043	4,732,726	4,094,474	638,252
Air Quality Bureau					
Air Quality Regulation & Planning	1,989,969	1,865,725	1,451,907	1,456,621	(4,714)
Air PM 2.5 Monitoring	107,407	544,105	408,562	552,464	(143,902)
Title V, Permitting, Enforcement	3,471,625	4,873,474	3,837,481	3,208,857	628,624
Total Air Quality Bureau	5,569,001	7,283,304	5,697,949	5,217,942	480,007
Land Quality Bureau					
Waste Management	520,591	655,015	518,922	413,676	105,246
Solid Waste Authorization	52,304	63,473	50,228	40,449	9,779
GW Professional Registration	23,466	36,053	27,934	33,421	(5,487)
UST	225,783	297,868	235,464	174,327	81,137
LUST Cleanup	562,038	759,654	606,534	434,598	171,936
Hazardous Waste Sitting	58,061	164,675	129,884	63,158	66,726
Remedial Activity	24,087	82,120	64,514	7,568	56,946
AIDEX Monitoring	37	5,000	3,806	3,592	214
Superfund Program Management	176,203	192,821	152,938	155,527	(2,589)
Multisite, Investigation & Assess.	125,501	74,976	58,204	90,120	(31,916)
General Motors Site Mngt	30,228	55,626	44,462	14,356	30,106
Waste Tire Permitting	1,507	1,000	793	1,082	(289)
Emergency Response	183,286	215,899	171,361	140,066	31,295
LUST Field Support	0	0	136,962	136,952	10
BrownFields Initiative	1,271	0	0	37,726	(37,726)
BrownFields Development	97,586	0	0	0	0
Total Land Quality Bureau	2,081,949	2,604,180	2,202,008	1,746,618	455,390
Legal & Compliance Bureau					
LUST Cleanup	540,509	580,746	462,935	410,574	52,361
Air Quality-Field Const. & Mngt	135,901	187,394	149,309	135,198	14,111
Air Quality-Field Title 5	402,937	538,070	429,115	383,534	45,581
Wastewater-Field	1,405,022	1,505,466	1,184,828	1,007,461	177,367
Water Supply-Field	646,629	661,994	524,949	497,932	27,017
Waste Mngt-Groundwater	634,634	715,766	571,128	512,540	58,588
Water Supply Technical Asst.	160,186	203,445	164,399	121,945	42,454
Livestock-Field	314,278	509,168	406,352	368,097	38,255
Legal/Compliance Mngt	435,135	491,260	383,903	373,242	10,661
Total Legal & Compliance Bureau:	4,675,231	5,393,309	4,276,918	3,810,523	466,395
EPD Division Mngt & Misc	223,494	207,782	163,715	204,371	(40,656)
Totals, EPD Division	17,646,726	21,562,618	17,073,316	15,073,928	1,999,388

7. Fish and Wildlife Division

Budget Units	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Law Enforcement					
NW Enforcement District	891,938	912,883	725,278	729,283	(4,005)
NW Enf. Boating Safety	28,697	25,900	19,648	17,911	1,737
NE Enforcement District	1,121,055	1,144,914	909,379	916,133	(6,754)
NE Enf. Boating Safety	13,482	11,500	8,717	6,248	2,469
SW Enforcement District	770,591	772,603	613,571	621,981	(8,410)
SW Enf. Boating Safety	23,800	6,800	5,154	2,667	2,487
SE Enforcement District	965,319	992,549	788,737	809,281	(20,544)
SE Enf. Boating Safety	12,440	16,000	12,128	18,824	(6,696)
NC Enforcement District	833,275	817,076	649,462	672,252	(22,790)
NC Enf. Boating Safety	17,662	16,700	12,659	14,882	(2,223)
SC Enforcement District	732,577	952,295	756,140	578,711	177,429
SC Enf. Boating Safety	241,243	52,120	45,258	116,678	(71,420)
Hunter Safety	410,608	360,787	281,124	291,486	(10,362)
Boating Safety	279,974	370,819	294,124	240,251	53,873
Snowmobile Safety	83,780	68,078	54,033	74,167	(20,134)
DPS AICO Grant	0	9,000	8,280	0	8,280
Big Creek Range Maint.	7,064	7,000	4,732	8,168	(3,436)
Boat Equipment Special	0	300,000	275,190	221,688	53,502
Cons. Law Bureau Mngt	223,941	448,401	355,130	307,881	47,249

Environmental Protection Commission Minutes

May 1999

Officer SPOC Retirement Benefit	202,080	0	86,585	86,585	0
Total Law Enforcement	6,859,526	7,285,425	5,905,330	5,735,077	170,253
Fisheries Bureau					
Hatcheries:					
Big Springs Fish Hatchery	218,264	224,517	175,187	173,306	1,881
Decorah Fish Hatchery	260,875	264,704	206,328	203,334	2,994
Fairport Fish Hatchery	155,124	165,642	129,619	127,521	2,098
Manchester Fish Hatchery	256,660	265,704	206,857	214,449	(7,592)
Rathbun Fish Hatchery	492,310	524,418	407,087	397,029	10,058
Spirit Lake Fish Hatchery	361,034	383,650	297,106	276,543	20,563
Total Hatcheries	1,744,267	1,828,635	1,422,184	1,392,182	30,002
Fisheries Management:					
NW District	602,267	643,465	503,149	473,806	29,343
NE District	659,233	669,545	525,550	523,025	2,525
SW District	502,013	515,410	405,722	402,824	2,898
SE District	528,977	562,155	443,136	435,550	7,586
Total Fisheries Management	2,292,490	2,390,575	1,877,558	1,835,205	42,353
Fisheries Research:					
Mississippi Monitoring	328,018	344,744	270,172	241,880	28,292
Aquatic Education Project	151,318	101,479	78,975	81,103	(2,128)
Milfoil Project	75,159	100,927	76,925	42,346	34,579
Bellevue Fisheries Research	176,869	181,837	142,518	139,594	2,924
Chariton Fisheries Research	277,517	273,084	215,549	213,445	2,104
Cold Springs Fisheries Research	137,688	129,318	101,447	103,791	(2,344)
Bozeman Project	0	12,000	9,000	0	9,000
Manchester Fisheries Research	126,578	128,728	101,743	96,726	5,017
Fish Production Drug Study	20,000	20,000	20,000	20,000	0
Rathbun Fisheries Research	154,394	167,931	130,725	125,133	5,592
Spirit Lake Fisheries Research	144,384	138,177	108,612	128,866	(20,254)
MARIS Study	0	10,000	7,500	0	7,500
Total Fisheries Research	1,591,925	1,608,225	1,263,166	1,192,884	70,282
Fisheries Bureau Mngt	461,215	528,482	408,362	447,964	(39,602)
Total Fisheries Bureau	6,089,897	6,355,917	4,971,270	4,868,235	103,035
Wildlife Bureau					
Wildlife Area Maint. & Mngt:					
NW District Operations	1,096,763	1,096,021	855,372	863,160	(7,788)
NE District Operations	1,009,561	1,011,560	790,961	791,679	(718)
SW District Operations	1,026,006	1,060,938	828,082	776,387	51,695
SE District Operations	1,200,085	1,267,609	989,278	983,650	5,628
Wetlands Project Support	15,317	1	0	0	0
Total Wildlife Area Maint. & Mngt	4,347,732	4,436,129	3,463,694	3,414,876	48,818
Corps WMA Areas, Cond. 5:					
Saylorville Cond 5 WMA	44,719	36,603	28,771	85,973	(57,202)
DM River Cond 5 WMA	18,788	12,500	10,666	8,021	2,645
Missouri River Cond 5 WMA	0	4,000	3,032	1,348	1,684
Red Rock Cond 5 WMA	107,526	160,227	123,688	167,638	(43,950)
Coralville Cond 5 WMA	39,799	51,962	40,924	40,369	555
Riverton Cond 5 WMA	1,500	0	0	3,046	(3,046)
Rathbun Cond 5 WMA	39,030	30,153	23,372	29,276	(5,904)
Total Corps WMA Mngt	251,362	295,445	230,452	335,671	(105,219)
Total WMA Maint. & Mngt	4,599,094	4,731,574	3,694,147	3,750,547	(56,400)
Wildlife Research:					
Boone Research, State	132,208	132,208	151,568	98,378	53,190
Boone Research, Federal	107,845	134,551	104,677	79,328	25,349
Chariton Research, State	56,451	77,478	61,095	86,914	(25,819)
Chariton Research, Federal	131,166	128,990	101,081	46,907	54,174
Clear Lake Research, Federal	169,898	144,004	112,606	89,634	22,972
Clear Lake Research, State	115,378	86,560	68,324	125,297	(56,973)
Wildlife Diversity Project	226,346	252,892	196,698	196,375	323
Harvest Information Program Grant	12,018	40,000	30,320	24,083	6,237
Total Wildlife Research	951,310	996,683	826,368	746,916	79,452
Prairie Seed Project	0	0	0	63,935	(63,935)
Wildlife Depredation Mngt	137,672	166,497	135,683	97,500	38,183
Wildlife Bureau Mngt & Misc	1,441,247	1,435,855	1,129,733	1,275,727	(145,994)
Total Wildlife Bureau	7,129,323	7,330,609	5,785,931	5,934,625	(148,694)
FW Division Mngt & Misc	429,916	409,023	315,897	284,509	31,388
Total FW Division	20,508,662	21,380,974	16,978,429	16,822,446	155,983

8. Waste Management Assistance Division

Budget Units	FY 98 Actual	FY 99 Budget	Estimated Spent thru April	Actual Spent thru April	Variance Under(Ovr)
Buy Recycled Business Alliance	1,500	1,500	1,155	0	1,155
Planning & Grants	197,986	172,650	134,006	122,917	11,089
Landfill Alternatives	135,231	156,416	123,410	87,850	35,560
Waste Tires Program	44,427	54,438	42,851	38,854	3,997
Waste Recycling	277,330	289,774	225,612	193,909	31,703
Household Hazardous Waste Adm	225,297	266,668	205,798	120,441	85,357
Waste Reduction Assistance	122,153	159,303	125,815	96,180	29,635

PPIS Set Aside	0	26,470	19,904	0	19,904
Pollution Prevention (WRAP)	180,557	69,100	53,195	39,649	13,546
Pollution Prevention (WRAP)2	0	120,200	93,333	55,454	37,879
Waste Reduction Program	23,182	5,100	3,866	28,215	(24,349)
Solid Waste Reduction Grant	15,124	0	0	17,062	(17,062)
Collection Efficiency Project	0	17,500	12,500	586	11,914
Sustainable Conference	24,000	0	0	0	0
WMA Division Mngt	277,320	260,325	205,779	176,379	29,400
Waste Mngt Assistance Totals	1,524,107	1,599,444	1,247,224	977,496	269,728

Mr. Slatterly reviewed the division reports noting that the legislature appropriated \$200,000 in General Fund monies to be used for SPOC and Parks retirements. He elaborated on potential amounts that could be needed for additional retirements before year's end.

Chairman Ehm asked the commissioners for their thoughts on going from a monthly financial report to a quarterly report.

Terrance Townsend stated that a quarterly report works for him.

Rozanne King commented that unless a major issue comes up she does not feel a need to see a report every month.

Mr. Slatterly stated that there is information missing from these reports that might be of more use on the revenue side. He related that working more revenue situations into the report might be more informative to the Commission and he gave examples of how it may be more useful. He related that he could try several versions to see which would work best to provide reports on a quarterly basis.

Gary Priebe stated that quarterly reports would be sufficient, adding that there is no need for the Commission to micro-manage as that is the duty of the staff.

INFORMATIONAL ONLY

BUDGET AND PERSONNEL INFORMATION

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

New wage provisions negotiated during collective bargaining, and salary adjustment for noncontract covered employees will be discussed. FTEs (new staff positions) were increased by the Legislature and will be identified.

Mr. Slatterly stated that the collective bargaining negotiations for non-contract employees was a 3% wage increase, effective July 1. He also discussed an increase in the number of steps in the classifications. He noted that the legislature approved 19 additional FTE's as follows: 5-Forestry; 7-Water Quality Monitoring; 2-TMDL; 2-Brownfields; and 3-MMP's.

Linda Hanson will provide further information on these issues at the next meeting.

INFORMATIONAL ONLY

CONTRACTS FOR SOURCE WATER ASSESSMENTS FOR PUBLIC WATER SUPPLIES

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested for four contracts totaling \$420,000. The projects to be completed under these contracts will provide source water assessments of public water supplies using surface waters or ground water under the influence of surface water.

The Water Quality Bureau is developing a statewide source water protection program for public drinking water systems. The Intended Use Plan for the Drinking Water State Revolving Loan Fund, approved by the Environmental Protection Commission at the June 1998 meeting, contained provisions for this program, including source water assessments by third party contractors. These contractors will assist the Environmental Protection Division along with the Department's Geological Survey Bureau in conducting source water assessments for all public water supplies in Iowa by October 30, 2002. Funds for the contracts will come from the EPA's FFY97 Capitalization Grant for the Drinking Water State Revolving Fund.

These projects will provide source water assessments for 24 public water supplies (PWSs) using surface water or groundwater under the influence of surface water. The recommended projects meet the established criteria of the statewide source water protection program and comply with the approved State Drinking Water State Revolving Loan Fund Intended Use Plan. Each project will provide the following elements:

- Delineation of the Source Water Protection Area (SWPA)
- Inventory and characterization of potential contamination sources within the SWPA
- Susceptibility analyses for each of the PWS intake structures within the SWPA
- Public notification

The project contractors and contract costs and scopes are provided below:

Iowa Association of Water Agencies; \$200,327; source water delineation and assessment for PWSs serving the cities of Des Moines, Boone, Oskaloosa, Cedar Rapids, and Ottumwa and the Rathbun Regional Water Association

Howard R. Green Company; \$188,673; Source water delineation and assessment for PWSs serving the cities of Bloomfield, Centerville, Chariton, Corning, Creston, Greenfield, Lenox, Leon, Milford, Mount Ayr, Osceola, Spirit Lake, Wahpeton, and Winterset, and the Central Water System

Iowa City and University of Iowa, \$20,000, Source water delineation and assessment for PWSs serving Iowa City and the University of Iowa

Fox Engineering Associates, \$11,000, Source water delineation and assessment for the PWS serving the city of Montezuma

Mr. Valde reviewed details of the contracts.

Terrance Townsend asked if the plan is to eventually evaluate every source, or to do them on a random basis.

Mr. Valde replied that by 2002 each of the sources for public drinking water supplies should be evaluated.

Brief discussion followed.

Motion was made by Terrance Townsend to approve the contracts for Source Water Assessments for Public Water Supplies as presented. Seconded by Gary Priebe. Motion carried unanimously.

APPROVED AS PRESENTED

PROPOSED CONTESTED CASE DECISION--JIM COMES AND GARY COMES

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On November 30, 1998, the department issued Flood Plain Development Permit Number FP 98-266 to Henningson Construction, Inc. and the Atlantic Municipal Airport. That action authorized a building project in a flood plain. That action was appealed by the Comes, nearby property owners, and the matter proceeded to administrative hearing on April 5, 1999. The Administrative Law Judge issued the attached Proposed Decision on April 16, 1999. The decision affirms the permit.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy briefed the Commission on the history of this case dealing with a floodplain development permit.

The Commission took no action; this has the effect of upholding the Administrative Law Judge decision in the absence of an appeal.

ALJ DECISION UPHELD

PROPOSED CONTESTED CASE DECISION--PAUL AND TODD BEHOUNEK

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On March 10, 1997, the department issued Administrative Order No. 97-AQ-02 and 97-SW-03 to Paul and Todd Behounek. That action required them to cease illegal burning, to properly manage and dispose of solid waste, and to pay a penalty of \$7,100. That action was appealed by the parties, and the matter proceeded to administrative hearing on April 6, 1999. The Administrative Law Judge issued the attached Proposed Decision on April 23, 1999. The decision reversed the Order..

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy briefed the Commission on the history of this case involving illegal burning and an administrative penalty. He related that the department lost this case as the judge found that an employee (Richard Behounek) most likely set the fire, and that Todd and Paul were not liable for that. The judge reversed the Order and the fine. Mr. Murphy stated that the department does not plan to appeal.

ALJ DECISION REVERSED BY JUDGE <i>Upheld</i>

PROPOSED CONTESTED CASE DECISION--BERNIE BRAUNS

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On June 3, 1996, the department issued Administrative Order No. 96-AQ-07/96-SW-08 to Bernie Brauns, d/b/a Brauns Waste Management and Brauns Excavating. That action required him to cease illegal burning and solid waste disposal, and to pay a penalty of \$10,000. That action was appealed by Mr. Brauns, and the matter proceeded to administrative hearing on March 29, 1999. The Administrative Law Judge issued the attached Proposed Decision on May 3, 1999. The decision affirms the Order, with the exception of reducing the penalty to \$5,100.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy briefed the Commission on the history of this case dealing with illegal burning and solid waste disposal. He noted the ALJ found that there was some merit to the AO but felt the penalty should be reduced to \$5,100.

The Commission took no action; this has the effect of upholding the Administrative Law Judge decision in the absence of an appeal.

ALJ DECISION UPHELD

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Daryl Larson (Jones County) – animal feeding operation
- b. Russell Zook, dba Haskins Recycling (Washington County) - air quality/solid waste
- c. Hofer's Danceland Ballroom (Walford) – water supply penalty

Daryl Larson

Mr. Murphy stated that this case involved an animal feeding operation whereby the lagoon was full and in danger of causing very drastic releases. He noted that Mr. Larson also has a long record of compliance problems.

<i>Motion was made by Rozanne King for referral to the Attorney General's Office. Seconded by Terrance Townsend. Motion carried unanimously.</i>
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REFERRED

Russell Zook, dba Haskins Recycling

Mr. Murphy briefed the Commission on this case involving open burning problems, failure to pay the penalty, and not correcting the violations addressed in the Order.

Brief discussion followed in regard to the handling of PCB's by Mr. Zook.

Motion was made by Terrance Townsend for referral to the Attorney General's Office. Seconded by Randal Giannetto. Motion carried unanimously.

REFERRED

Hofer's Danceland Ballroom

Mr. Murphy briefed the Commission on this case involving drinking water violations and failure to pay a penalty.

Motion was made by Rozanne King for referral to the Attorney General's Office. Seconded by Terrance Townsend. Motion carried unanimously.

REFERRED

LEGISLATION SUMMARY - 1999

Kathleen Moench, Budget and Finance Bureau, presented the following item.

Attached is a summary of the 1999 legislation pertaining to the interests of the Environmental Protection Commission.

SUMMARY OF 1999 LEGISLATION

PASSED AND PERTAINING TO ENVIRONMENTAL PROTECTION COMMISSION

Bill Number	Title/Description	Signed by Governor	Effective
HF332	PETROLEUM OVERCHARGE APPROPRIATION	3/30/99	July 1, 1999
HF746	AGRICULTURE & NATURAL RESOURCES APPROPRIATIONS	Pending	
HF772	INFRASTRUCTURE APPROPRIATIONS	Pending	
HF242	STATUTORY CORRECTIONS	5/11/99	Varies
HF339	AG DRAINAGE WELL CLOSURES	4/27/99	July 1, 1999

HF347	BALED SOLID WASTE RULES	4/7/99	July 1, 1999
HF349	SOURCE WATER TESTING FOR PUBLIC WATER SYSTEMS	4/21/99	July 1, 1999
HF412	LEOPOLD CENTER ADVISORY BOARD	4/29/99	July 1, 1999
HF442	REMEDIAL ACCOUNT OF UST FUND	4/27/99	July 1, 1999
HF489	INFECTIOUS WASTE REGULATIONS	4/21/99	July 1, 1999
HF531	MANURE APPLICATOR CERTIFICATION	4/28/99	Upon Enactment
HF636	REVIEW & OVERSIGHT OF U.S. EPA	4/29/99	July 1, 1999
SF9	RURAL WATER DISTRICT TAX EXMPTION	4/26/99	July 1, 1998 Retro.
SF102	CFO INVESTIGATIONS	5/10/99	July 1, 1999
SF160	PIPELINES AND AGRICULTURAL LAND RESTORATION	4/29/99	July 1, 1999
SF282	STATE PURCHASES OF RECYCLED PAPER	Pending	

Bill Number	Code Reference	Title/Description	Dollars	FTE's	Signed by Governor	Action Dates	Comments
HF332		PETROLEUM OVERCHARGE APPROPRIATION Appropriations are made in the amounts below from the following accounts: 1. Dept. of Human Rights a. From Warner, \$350,000 Diamond Shamrock and Stripper b. From Exxon \$210,000 2. Dept. of Natural Resources a. For state energy \$50,000 programs from Exxon b. For state energy \$40,000 programs from Stripper c. For administration of \$175,000 petroleum overcharge from Stripper			3/30/99	July 1, 99	
HF746		AGRICULTURE & NATURAL RESOURCES APPROPRIATIONS			Pending		
Division I Sec. 1	Soil Conservation Division, part "c"	Provisions for spending soil conservation dollars including 5% for measures above state owned lakes as well as approval to do cooperative projects with DNR.					Status Quo
Division II Sec. 3		DNR General Fund Appropriations 1. Administrative & Support Services	\$2,046,623	120.25			Reflects moved to this Division in FY1998

Reduction of \$104,000 from base budget. Upper Miss. River Basin dues of \$12,000. 3FTE and \$150,000 for compliance team. 1FTE and \$34,000 for MMP oversight.			Status Quo
2. Parks & Preserves Division	\$6,157,037	195.73	
3. Forests & Forestry Division	\$1,707,347	48.71	Does not include additional 5FTE contingent upon increase in forestry sale prices.
4. Energy & Geological Resources Division	\$1,898,002	54.00	Status Quo
2FTE and \$76,000 for soil & hydrology data for MMP's			
5. Environmental Protection Division	\$4,906,116	243.50	3FTE MMP's - 2FTE
An increase of 14FTE over FY99			Brownfields - 2FTE TMDL's - 7FTE water monitoring program
At least \$1,350,000 for provisions of Clean Air Act.			An additional \$1,000,000 over last fiscal year
Increase of 7FTE to establish & operate water quality monitoring stations.			To be funded with federal funds
At least 9FTE and \$424,600 for support of animal feeding operations.			
An increase of 3FTE for a total of at least 9 FTE and \$370,000 for support of on-site inspections and oversight of MMP's.			3FTE's and \$ will sunset as of June 30, 2002.
\$105,564 to be used to contract to process MMP's.			\$ used for expected 4500 small operation MMP's - along with \$10,109 from Ag. Mgmt Acct.
At least 10FTE and \$700,467 to support regulation of wastewater treatment systems, permits & inspections.			
6. Water Quality Protection Fund	\$729,000		Status Quo

		32FTE authorized in 5.a. dedicated to implementing code provisions of the State Drinking Water Act.			2FTE to give priority to water supply systems serving a population of 7000 or less.
		\$300,000 allocated to conduct a study of groundwater and surface water contamination originating from municipal lagoons.			Interim reports due 1/10/00 and 1/8/01 with the final report due 1/14/02.
		7. Fish and Wildlife Division	\$0	344.18	Status Quo
		8. Waste Management Assistance Division	\$0	16.75	Reflects 1FTE moved out of this Division in FY1998
Sec. 4		<i>State Fish and Game Protection Fund</i>			
		Fish & Wildlife Division	\$23,574,548		Additional \$466,114 over FY99
		Up to \$250,000 may be used for peace officer retirements.			Status Quo
Sec. 5	Section 321G.7 F&G	Snowmobile Fees – Transfer to for Enforcement Purposes	\$100,000		
Sec. 6	Section 462A.52 F&G	Vessel Fees – Transfer to Enforcement Purposes	\$1,400,000		\$200,000 less than FY99
		Not more than 1FTE and \$100,000 shall be used for the purpose of controlling and eradicating Eurasian milfoil			
Sec. 7		Marine Fule Tax Receipts – Boating Fac.	\$411,311		Status Quo
Division IV		<i>Related Appropriations</i>			
Sec. 11		Underground Storage Tank Program	\$75,000		Status Quo
Sec. 12		Wild Animal Control	\$50,000		New – General Fund monies
		Allocation to the U.S. Department of Agriculture, Animal & Plant Health Inspection Service.			Landowner cooperating with Service not required to pay for a depredation permit
Sec. 13		Agricultural Management Account			
		Money to be used to with contract to process MMP's	\$10,109		Funds stranded several years ago as result of program ending

Sec. 14		Hazardous Substance Remedial Fund An increase of 2FTE and \$100,000 to the Environmental Protection Division for deposit in the land recycling fund for implementation of the Brownfields program			FTE funding from Hazardous Substance Remedial Fund
Sec. 16		General Fund Appropriations	\$200,000	Enactment	for current fiscal year
Sec. 17		Sick leave pay out for park ranger retirements State Fish and Game Protection Fund Sick leave pay out for peace officer retirements	\$150,000	Enactment	for current fiscal year
Division V		<i>Miscellaneous</i>			
Sec. 20		Park & Preserve Entrance Fees The department shall not charge an entrance fee at parks or preserves		Enactment	
Sec. 21		Flood Plain Permit Backlog Continuation of 2FTE originally authorized in 1998 to reduce the departments flood plain permit backlog.			FTE funded with stormwater discharge permit fees
Sec. 22		Federal Total Maximum Daily Load Program An increase of 2FTE to the EPD to implement the federal program.			FTE funded with stormwater discharge permit fees
Division VI		<i>Code Changes</i>			
Sec. 26	Section 456A.20	Forestry Sales Modification Modification to the Sale of Trees & Shrubs allowing money to be deposited into the Forestry Management and Enhancement Fund.			
Sec. 27	New Section 456A.21	Forestry Management and Enhancement Fund An increase in the sale price of trees and shrubs, .05 and .10 respectively, to pay for additional 5FTE needed in the Forest and Forestry Division.	5.00		FTE needed to support the management and enhancement of forests

Sec. 28	New Section 461A.31A	Timber Sales Public hearing necessary for any timber sale more than 10,000 board feet or \$5,000.	
HF772		INFRASTRUCTURE APPROPRIATIONS	Pending
Division I Section 12		<i>Department of Transportation</i> 3. Acquiring, constructing, and improving recreational trails within the state. Total of \$2,250,000 available. \$1,000,000 for match program at a 3 to 1 private match basis, and \$250,000 for off-road trail projects.	Not to be used in conjunction with condemnation procedures
Division II Section 17	Section 161D.2	<i>Natural Resources – Agriculture Dept.</i> 1. Loess Hills Development & Cons. Fund Total of \$2,000,000 appropriated, \$1.5 to Hungry Canyons account and \$.5 to Loess Hills Preservation & Development Alliance. 4. Watershed Protection Efforts IDALS to develop rules to limit MTBE to 2% by volume after February 1, 2000. Monitor for MTBE at locations where there are existing monitoring sites. Report findings to Leg. Interim Committee and General Assembly <i>Natural Resources – Natural Resources Dept.</i> 1. Recreational Grant \$3,500,000 Matching Program Grants for restoration or construction of rec. complexes. Match is 1 to every 2 private dollars. Special consideration given to public/private partnerships. 2. Lake Dredging \$4,200,000	Legislative Interim Committee to study oxygenates issue. DNR needs to coordinate with UST Board for this testing. Grants can not exceed \$100,000
Section 18			

		For lake dredging and preparation of dredging in accord with DNR's classification of Iowa lakes restoration report. Up to \$200,000 can be used for feasibility studies for rehabilitation of lakes (both state owned and other public lakes).	Cost shared at a 50/50 basis
		Up to \$600,000 can be used by nonprofit organizations or governmental bodies for capital improvements to natural or constructed lakes.	Can not be used for construction of new lakes. Must demonstrate long term benefits of project and a dollar for dollar match.
Section 452A.79	3. Marine Fuel Tax	\$2,300,000	
	Capital projects and capital expenditures for local governmental 75% cost share grants.		
	4. Elinor Bedell State Park & Cons. Area	\$275,000	
	5. Establish Water Quality Monitoring Stations	\$1,015,000	
	\$15,000 of this allocated to the Lewis & Clark rural water system.		
	6. Lake Belva Deer Dam	\$200,000	
	7. Community Tree Planting	\$250,000	
	Grant program coordinated through public and private partnerships.		DNR to develop program rules after consultation with legislative ad hoc committee.
Section 19	Reversions		
	Unencumbered or unobligated funds from this Division as of June 30, 2004 revert		
Division III	Section 455A.18	Resource Enhancement and Protection Fund	\$10,500,000
Division V		<i>Statutory Changes</i>	
Section 28	Section 161A.80	Blufflands Revolving Fund	Protection

New Section	Section 161C.7	Blufflands program amended so that IDALS to work in conjunction with DNR to adopt rules for the disbursement of funds. Watershed Protection 1. IDALS to initiate & coordinate watershed protection task force to study the condition of watershed protection in the state and recommend soil, water, flood and other natural resource issues 2. IDALS to administer the program and in consultation with DNR establish a prioritized list of watersheds. 3. A watershed protection account is created within the fund. 4. Water quality protection administrative rules will be used to administer the watershed protection program	Corrective language.	code
			Recommendations due to task force	
			January 1, 2000 and January 1, 2001.	
HF242		STATUTORY CORRECTIONS	5/11/99	Varies
Section 21	Section 321G.4	Corrective language to clarify snowmobile registration fee of \$25.00.		
Section 29 & 30	Section 455B.202 & 203B	Corrective language, placement of two commas, the word "the" to replace "a" and replacing the word "commercial" with "confinement site".		Corrective language resulting from passage of HF2494 in 1998 legislation session
Sections 31 - 38	Section 455G	Corrective language to Underground Storage Tank Insurance Fund created in 1998 legislative session.		
Section 39	Section 455H.103	"Technical advisory committee" definition stricken from Land Recycling and Remediation Standards Act.		Brownfields Advisory Board disbanded.
	Section 455H.501 & 502	Rules and authority of Technical Advisory Committee for Land Recycling and Remediation Act.		Brownfields Advisory Board disbanded.
HF339		AG DRAINAGE WELL CLOSURES	4/27/99	July 1, 99

	Section 455I.3	Agricultural drainage well closure deadline extended from 12/31/1999 to 12/31/01.			
HF347		BALED SOLID WASTE RULES	4/7/99	July 1, 99	
	Section 455D.9A	Repeals requirement for DNR to adopt rules defining what is and how to dispose of baled solid waste			Departmental request
HF349		SOURCE WATER TESTING FOR PUBLIC WATER SYSTEMS	4/21/99	July 1, 99	
	Section 455B.173	Repeals requirement for DNR to adopt rules requiring public water systems to test source waters.			Departmental request. Currently use EPA rules
HF412		LEOPOLD CENTER ADVISORY BOARD	4/29/99	July 1, 99	
	Section 266.39	Advisory board increased by four members; one from IA Farm Bureau Fed., IA Farmers Union, practical farmers of Iowa & the agribusiness association of Iowa.			Each is to be reimbursed for actual and necessary expenses.
HF442		REMEDIAL ACCOUNT OF UST FUND	4/27/99	July 1, 99	
Section 1	Section 455G.9	Adds new paragraph that allows for 100% of corrective action costs under the remedial account.			
Section 2		Adds new subsection that allows UST Board to adopt rules allowing governmental entities reimbursement of contamination encountered in a public right-of-way installation or repair.			Allows the Board to seek full recovery from a responsible party liable for the release.
HF489		INFECTIOUS WASTE REGULATIONS	4/21/99	July 1, 99	
Section 1	Section 455B.501	Amend section to delete language requiring the institution of an infectious waste management program and inventory of volumes generated.			Departmental request. Promotional materials and inventory completed

Section 2	Section 455B.503	Amends section to delete language requiring the department to adopt rules for the operation of a infectious waste treatment and disposal facility			Facility permitting currently part of the existing DNR waste permit process
Section 3	Section 455B.502	Repeals section requiring regent universities to monitor emissions from infectious medical waste incinerators.			EPC adopted federal standards in October 1998.
HF531		MANURE APPLICATOR CERTIFICATION	4/28/99	Upon Enact.	
	455B.203A	Section extends the dates for manure applicator certification to 7/1/99 for commercial applicators and 10/1/99 for site applicators			
HF636		REVIEW & OVERSIGHT OF U.S. EPA	4/29/99	July 1, 99	
Section 1		Reviews control of EPA over mobile and stationary sources of emissions; the role of OTAG and the effects of OTAGs decisions on Iowa; and the need to have legislative oversight over emission regulations.			OTAG – ozone transport assessment group
Section 2		Requires the DNR Director to notify the legislative body of the request from U.S. EPA for submittal of a state implementation plan relating to ozone attainment.			
Section 3	Chapter 12, 1997 Iowa Acts	Chapter repealed. HF309 from 1997 Legislative Session.			Previous legislation requiring DNR to monitor OTAG .
SF9		RURAL WATER DISTRICT TAX EXMPTION	4/26/99	July 1, 98 Retro.	
	Section 422.45	New section added giving rural water districts tax exempt status on materials, supplies or equipment used for construction of the facility.			
SF102		CONFINEMENT FEEDING OPERATION INVESTIGATIONS	5/10/99	July 1, 99	

Section 39	455B.110	Clean up language clarifying that the county DESIGNEE accompanying a DNR official during an investigation at a confinement feeding operation has the same right of access to the real estate during the investigation		
SF160		PIPELINES AND AGRICULTURAL LAND RESTORATION	4/29/99	July 1, 99
Section 1	Section 479.29	Utility Board to adopt rules for the restoration of ag land during and after pipeline construction provide standards of restoration, provide compensation for damages and reversion of land no longer used by a pipeline.		
SF282		STATE PURCHASES OF RECYCLED PAPER	Pending	
Section 3	Section 18.18	Code clean up language to update Dept. of General Services purchases of recycled paper and use of soy inks.		

Ms. Moench reviewed each of the bills on the summary and gave a brief explanation where needed. She pointed out changes in the status of several bills since the time the summary was mailed to the Commission.

Director Johnson stated that he would appreciate ideas from the Commission for legislative proposals for next year, adding that he wants the Commission to be part of the process.

Chairman Ehm expressed delight with the appropriation for water quality monitoring.

Brief discussion followed regarding water sampling.

INFORMATIONAL ONLY

GENERAL DISCUSSION

Future Meetings Location

The Commission discussed possibly holding meetings at various locations in the state and perhaps touring some of the landfill alternatives grant projects. Chairman Ehm asked the Commissioners to bring their ideas next month in relation to future meeting locations.

Leopold Board Liaison

Chairman Ehm stated that since Dean McWilliams is no longer on the Commission, and he was the Leopold Center Board liaison for the Commission, he would like to know if another Commissioner would be interested in serving in that capacity. Anyone who might be interested should let Chairman Ehm know.

Director Johnson stated that Don Paulin was previously the department's Leopold Center Board member and Lyle Asell will now be the department's representative on that board.

Earth Day

Rozanne King spoke about her daughter's class and their tree planting project for Earth Day. She related that Brent Olson, District Forester, helped with the project and the trees were planted along a highway where the school bus passes each day. She added that since then there has been a lot of people wanting to plant trees.

Director Johnson reported that he spent Earth Day with the Governor on several projects. He related that he and the Governor were involved in a number of projects during Earth Week and one of those projects was a celebration in Grundy County relating to vegetative buffers along the river. Also, press conferences were held on air toxics and on water quality.

Bottle Bill

Discussion took place in regard to the possibility of major revamping of the bottle bill next year, to include other containers.

Introduction

Director Johnson introduced Teresa Hay McMahon and related that she has been hired to work on farmland issues and sustainable development.

NEXT MEETING DATES

June 21, 1999

July 19, 1999

August 16, 1999

ADJOURNMENT

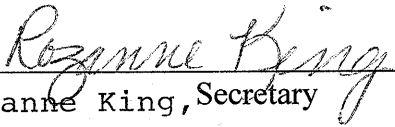
With no further business to come before the Environmental Protection Commission, Chairman Ehm adjourned the meeting at 3:00 p.m., Monday, May 17, 1999.



Paul W. Johnson, Director



William Ehm, Chair



Rozanne King, Secretary

INDEX

A

Adjournment, 80

Adoption of Agenda, 1

Air Quality

Operating Permit Fees (Title V)FY 2000

Budget, 50

Operating Permit Fees (Title V)FY 99

Fees, 50

Appointment

Van Ravenswaay, Jay (Sioux Co.
demand for hearing), 27

Approval of Minutes, 2

Attorney General Office

Presentation/Information, 10

B

Behounek, Paul and Todd

Proposed Contested Case Decision, 67

Braun, James

New Commissioner, 1

Brauns, Bernie

Proposed Contested Case Decision, 67

Budget and Personnel Information, 64

C

Call to Order, 1

Chamness Technology, Inc.

Landfill Alternatives Financial

Assistance Grant, 11

Christiansen, Elizabeth

New Commissioner, 1

Closed Session

Sheridan Dave (enforcement cases), 10

Comes, Jim and Comes, Gary

Proposed Contested Case Decision, 66

Commissioners Absent, 1

Commissioners Present, 1

Contested Case Decision

Proposed

Behounek, Paul and Todd, 67

Brauns, Bernie, 67

Comes, Jim and Comes, Gary, 66

Contracts

Source Water Assessments for Public
Water Supplies, 65**D**

D & D Ranch.

Landfill Alternatives Financial
Assistance Grant, 11

DED

Memorandum of Agreement for the
Iowa Waste Exchange, 2

Demand for Hearing

Sioux XE "Sioux County:Demand for
Hearing - Orange City Dairy LLP" XE
"Orange City Dairy LLP:Sioux
County:Demand for Hearing - Orange
City Dairy LLP" County

Orange City Dairy, LLP, 25

Director's Remarks, 2

E

Election of Officers, 2

Enviro-Lawn L.L.C.

Landfill Alternatives Financial
Assistance Grant, 11**F**

Final Rule

Chapter 105, Organic Materials
Composting Facilities, 15

Final Rule--Chapters 20, 21, 22, 23 and 25,

NESHAPS Corrections and

Clarifications, 48

Financial Status Report, 59

H

Haskins Recycling (Russell Zook)

Referrals to the Attorney General, 69

Hofer's Danceland Ballroom

Referrals to the Attorney General, 69

I

Iowa Waste Exchange
Memorandum of Agreement
DED, 2

L

Landfill Alternatives Financial Assistance
Program
Composting Initiative
Contracts
Chamness Technology, Inc., 11
D & D Ranch, 11
Enviro-Lawn L.L.C., 11
Maharishi School, 11
Larson, Daryl
Referrals to the Attorney General, 68

M

Maharishi School
Landfill Alternatives Financial
Assistance Grant, 11
Memorandum of Agreement
DED
Iowa Waste Exchange, 2
Monthly Reports, 28

N

New Commissioners
Braun, James, 1
Christiansen, Elizabeth, 1

O

Orange City Dairy LLP
Sioux County
Demand for Hearing - Orange City
Dairy LLP, 25
Organic Materials Composting Facilities--
Chapter 105
Final Rule, 15

P

Public Water Supplies
Source Water Assessments Contracts, 65

R

Referrals to the Attorney General
Zook, Russell dba Haskins Recycling, 69

Referrals to the Attorney General
Hofer's Danceland Ballroom, 69
Larson, Daryl, 68

S

Sheridan, Dave
Attorney General Office
Presentation/Information (closed
session), 10

Sioux County
Demand for Hearing - Orange City Dairy
LLP, 25

Source Water Assessments for Public Water
Supplies
Contracts
Fox Engineering Associates, 65
Howard R. Gree Co., 65
Iowa Association of Water Agencies,
65
Iowa City and U. of Iowa, 65

V

Van Ravenswaay, Jay - Appointment
(Sioux Co. demand for hearing), 27

Z

Zook, Russell dba Haskins Recycling
Referrals to the Attorney General, 69